

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LA SANITATION AND ENVIRONMENT
INDUSTRIAL WASTE MANAGEMENT DIVISION

ENFORCEMENT RESPONSE PLAN
AND
ENFORCEMENT RESPONSE GUIDE

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ENFORCEMENT RESPONSE PLAN

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SECTION

1

INDUSTRIAL WASTEWATER PRETREATMENT ENFORCEMENT PROGRAM

1.1 INTRODUCTION

The City of Los Angeles (City), Department of Public Works, LA Sanitation and Environment is designated with the responsibility for the operation and maintenance of four (4) Publicly Owned Treatment Works (POTW), treating a combined flow of approximately 350 million gallons per day. Included in this responsibility is the task of maintaining compliance with each POTW's National Pollutant Discharge Elimination System (NPDES) permit and respective effluent discharge standards. The City is further charged with the responsibility to regulate industrial waste discharges into the sanitary sewer system from the varied industrial and manufacturing operations located throughout the City.

To accomplish this entire task, LA Sanitation and Environment, Industrial Waste Management Division (IWMD) administers the Federal Pretreatment Program to regulate Industrial User (IU) compliance with local and federal industrial wastewater discharge standards. This task includes extensive permitting, monitoring, inspection, and enforcement activities. The elements of this Enforcement Response Plan (ERP) and Enforcement Response Guide (ERG) and the procedures contained herein, focus on the enforcement of pretreatment regulations, discharge standards and specific responses enlisted in the event violations occur.

1.2 ENFORCEMENT ACTIONS

The enforcement procedures described in this document use established criteria and other considerations for responding to violations of pretreatment regulations and discharge standards in a consistent and timely manner, as appropriate. In addition, the procedures provide a range of enforcement responses with the objectives of 1) regulating IUs to achieve and maintain consistent compliance; 2) subjecting repeat offenders to escalated enforcement actions in a timely manner; and 3) initiating the process at higher levels of enforcement for those IUs that have been subjected to enforcement proceedings and that are still unable to maintain full and permanent compliance over the long term.

In general, the City's enforcement program allows for a progressive enforcement approach. However, it is also intended to be flexible and thus provide the ability to use discretion on a case-by-case basis depending on the nature and circumstances of non-compliance as well as available resources. Enforcement determinations may be complicated fact-specific decisions based entirely on experience and professional judgment.

LA Sanitation and Environment, Industrial Waste Management Division (IWMD) utilizes several types of escalated enforcement actions from the enforcement response plan which can range from telephone contacts, notices of violation, and administrative orders, to suspension of discharge privileges, permit revocation, water or utility service termination, and/or City Attorney referral for filing of civil/criminal charges. Specific elements of the City's enforcement program and descriptions of the various enforcement responses which may be enlisted are addressed in Section 2. Discussion of the ERP and ERG, however, should be prefaced with the understanding that these procedures were developed for internal use by City staff and should not be construed as legally binding in any manner.

SECTION

2

ENFORCEMENT RESPONSE PLAN

Federal regulations require an ERP to identify the types of escalating enforcement actions the POTW will take in response to all anticipated types of IU violations and the time periods within which responses to violations will take place. Although a Control Authority may be able to anticipate the types of IU pretreatment violations which may occur, it cannot anticipate the full range of underlying causes of IU noncompliance. While a standard violation follow-up procedure may be necessary to respond to specific instances of noncompliance in a timely, uniform, and progressive manner, the varied scenarios of noncompliance which present themselves require maximum flexibility and the use of alternative enforcement responses such that consistent compliance can be achieved and maintained in a manner that is both conducive to the IU and efficient for the pretreatment program.

The City's enforcement program consists of a number of actions that allow an enforcement response to be tailored to the specific IU and its state of noncompliance. The following section describes in detail each of these enforcement responses. These actions allow for noncompliance to be addressed in a progressive manner, and for purposes of exemplifying a process, can be described as moving consecutively from one step to another. However as mentioned previously, the ERP was also developed to incorporate flexibility and is not intended to restrict the ability of the Control Authority from exercising professional judgment in choosing an enforcement response.

Figures and Exhibits to this ERP set forth example processes and enforcement document language pertaining to specific enforcement responses. The Figures and Exhibits are included solely as examples -- they are not to be interpreted as limiting the discretion of the Control Authority to utilize any other process or document language it deems appropriate.

2.1 ENFORCEMENT ACTIONS

The City's Enforcement Actions are designed to address various types of violations. The following is a list of Enforcement Actions.

- Telephone Contacts or Verbal Notification
- Warning Notices
- Increased Monitoring and Inspection
- Short Term IU Permits
- Notices of Violation
- Compliance Meetings
- Administrative Orders
 - Cease and Desist Order
 - Consent Order
 - Compliance Order
 - Permit Suspension Order
 - Imminent Hazard Suspension Order
- Permit Revocation
- Termination of Sewer Service
- Termination of Water Service
- Publication of Significant Noncompliant IUs
- Recovery of City Incurred Costs
- Administrative Complaint/ Civil Penalties
- Civil Filing
- Criminal Prosecution
- Referral to EPA or State
- No Action Response

These actions are described in detail in the following paragraphs.

2.1.1 Telephone Contacts or Verbal Notification

A telephone call or verbal notification to an IU official (e.g. plant manager or environmental coordinator) may be used to address violations, usually of a minor nature. The telephone call could serve to notify the IU that the City is concerned about the violation, to obtain an explanation, and to suggest that subsequent violations of the same type may be dealt with more severely. All phone contacts or verbal notification should be documented in the IU's file.

2.1.2 Warning Notices

Warning Notices, similar to a telephone contact, may be used to address violations, usually of a minor nature. The notice serves to notify the IU that the City is concerned about a violation. A Warning Notice may be utilized, for example, in cases where an IU has not reapplied for a permit which will soon expire, if an IU has a minor violation after an enforcement case has been closed, or if an IU has not submitted information or completed requirements as specified in special permit conditions. Examples of Warning Notices are provided in Exhibit 1.

2.1.3 Increased Monitoring and Inspection

Increased monitoring and inspection beyond the minimum required by applicable federal and/or state pretreatment regulations may be used as a means to address discharge or other IU violations. Pretreatment regulations require SIUs to be monitored and inspected by a POTW once a year and SIUs to submit periodic compliance reports twice a year. The increased surveillance of an IU through increased POTW or IU monitoring, or POTW inspection beyond the minimum requirements may provide a powerful incentive for the IU to return to compliance. As the City deems appropriate, the IU could be required to undertake increased self-

monitoring or monitoring can be performed by the City. If undertaken by the City, costs of increased monitoring may be charged to the IU. Given the significant expense involved in monitoring, the increased costs to the IU would serve to deter future violations.

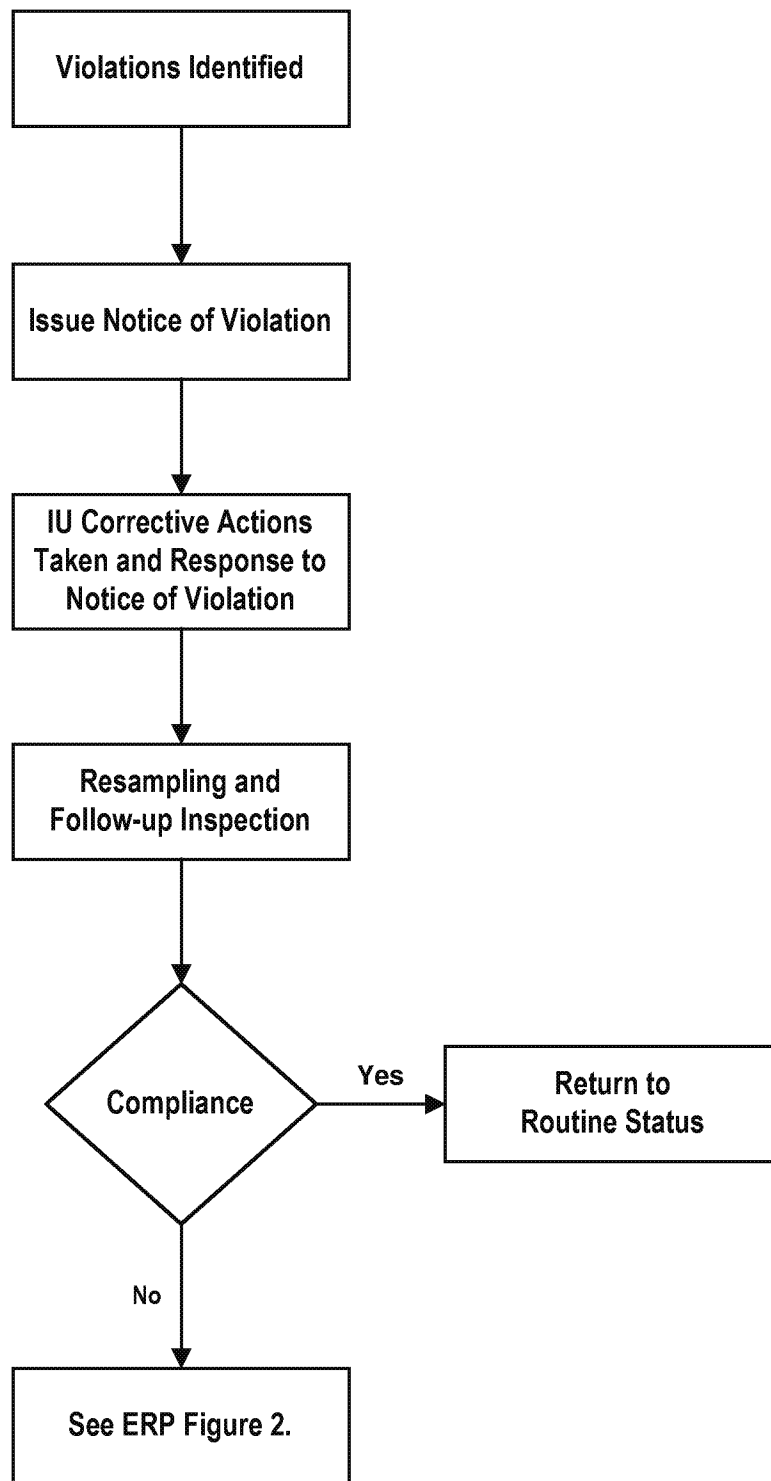
2.1.4 Short Term IU Permits

Federal regulations provide that SIU permits can be issued for a duration of five years. Permits of shorter duration, however, may provide the Control Authority with additional leverage to foster IU compliance. The IU permit renewal process provides an opportunity to evaluate an IU's treatment and compliance status. Similarly, revocation and reissuance of existing SIU permits may provide a means to bring about IU compliance.

2.1.5 Notices of Violation

After identification of a violation, the noncompliant (IU) may be issued a Notice of Violation (NOV) either by certified mail or personal service. Exhibit 2 contains a sample NOV. An example of the NOV process is shown in ERP Figure 1.

The NOV identifies the pretreatment standard, Best Management Practice or other permit condition violated, the circumstances surrounding the violation, and provides the IU with an opportunity to correct the noncompliance on its own initiative. The IU is required to investigate the violation and submit a written response describing the cause of violation, corrective actions taken or to be taken to prevent recurring violations, and the date those corrective actions will be complete.



ERP Figure 1. Notice of Violation Process

A violation follow-up inspection/ sampling may be conducted after the issuance of the NOV to confirm that the corrective actions taken were successful in achieving a return to compliance. NOVs will be issued in cases where violations occur when an industry is under an administrative order. These notices serve to formally document instances of noncompliance and may justify further escalation of enforcement action.

2.1.6 Compliance Meetings

Compliance Meetings are conducted by IWMD staff and are intended to allow the IU an opportunity to explain its noncompliance and present a proposed plan of corrective actions to achieve full and permanent and consistent compliance. A noncompliant IU may be required to attend such a meeting to discuss Administrative Orders and its plan for corrective actions. The Compliance Meeting is also an excellent forum for establishing the terms and conditions of the Administrative Order.

2.1.7 Administrative Orders

The City utilizes Administrative Orders (AO) as a formal response to address non-compliance. There are five types of orders utilized: 1) Cease and Desist Order; 2) Consent Order; 3) Compliance Order; 4) Permit Suspension Order; and 5) Imminent Hazard Permit Suspension Order. Each of these orders specify a set period of time for which the IU must implement corrective actions such as system modifications or equipment installation. Often times, an IU is also required to perform additional self-monitoring. The following sections describe each type of Administrative Order.

2.1.7.1 Cease and Desist Order

In general, a Cease and Desist Order requires the IU to cease a specific activity (i.e. illegal discharge, discharge without a Permit, or operating in non-compliance with Industrial Wastewater Permit requirements) and implement corrective actions to achieve and maintain permanent compliance. A Cease and Desist Order may be issued in instances when an IU fails to achieve compliance after the issuance of a Notice of Violation or when a pattern of violations is observed. Example of Cease and Desist Orders are provided in Exhibit 3. IWMD issues several Cease and Desist Orders to address specific discharge and non-discharge violations. Specific Cease and Desist Orders may include:

(i) Cease and Desist Violations Order - for Discharge Violations

A Cease and Desist Violations Order may be issued to the IU for the discharge of industrial wastewater that contains pollutants exceeding LAMC discharge standards, Federal Categorical discharge standards and/or hazardous and health and safety limitations set by State regulators (Title 22, California Code of Regulations). The Cease and Desist Violations Order for discharge violations is issued to address situations where an IU can implement corrective actions and achieve permanent compliance in a relatively short time frame (e.g., 30 days). The IU may also be required to conduct additional self-monitoring. These ordered activities are intended to assist both the IU and IWMD in assessing the IU's true compliance status and pretreatment/waste management capabilities. Refer to ERP figure 2 for the example Cease and Desist Violations Order process flow diagram.

Depending on the magnitude of the violation(s) that caused the Cease and Desist Order to be issued, the IU may be required to attend a compliance meeting to discuss the cause of violation and a present proposal of corrective actions to be taken.

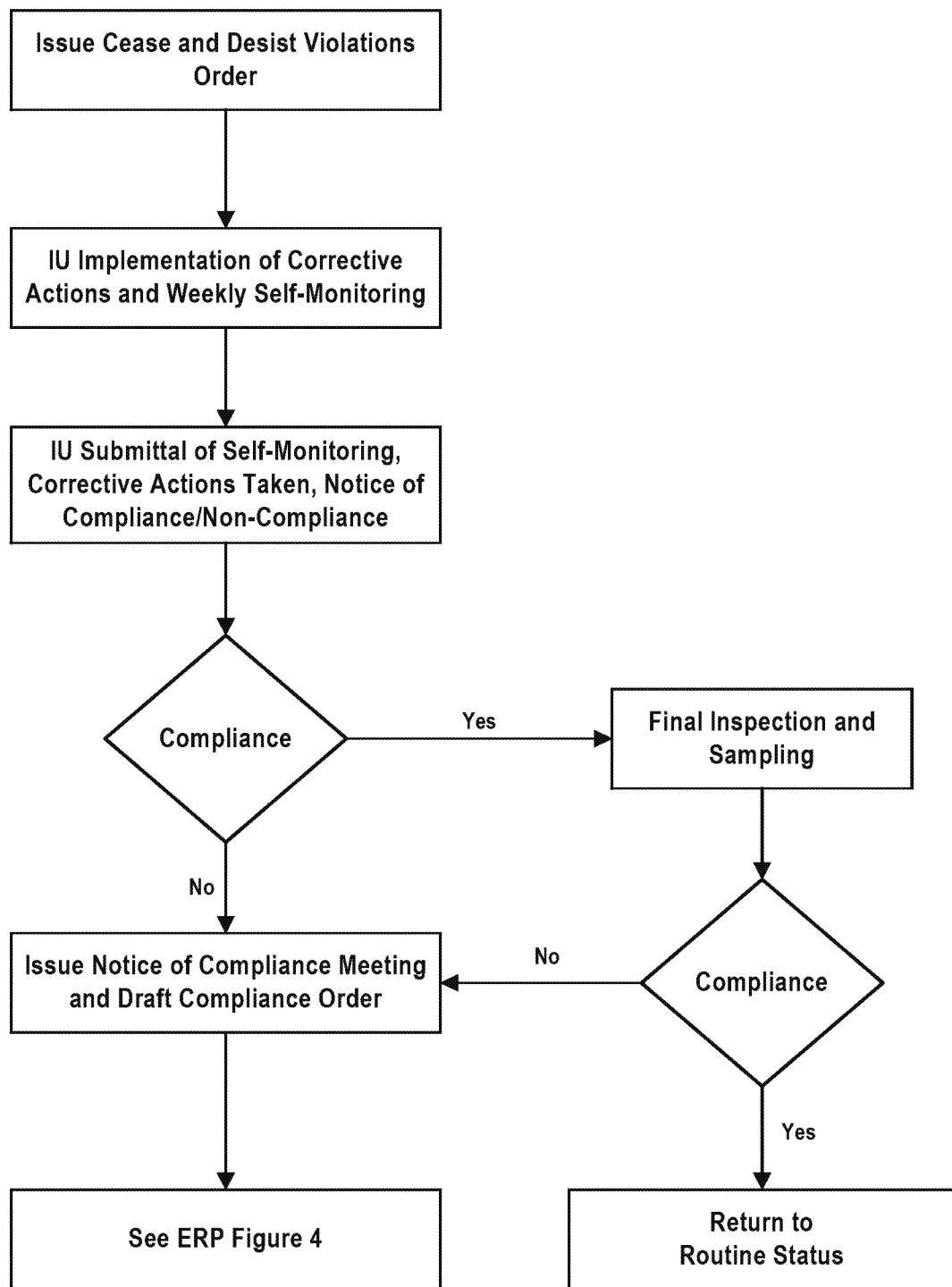
After completion of the ordered activities, the IU's compliance status is re-evaluated. The results of the self-monitoring and the corrective actions taken may indicate that compliance has been achieved; however, a final inspection and close-out monitoring may be conducted by IWMD staff to verify compliance independent of data submitted by the IU. If either the self-monitoring or POTW data indicate that violations occurred, or show the corrective actions to be ineffective, then escalated enforcement actions may be warranted. These actions may include, but not limited to conducting a Compliance Meeting and/or issuing a Compliance Order.

(ii) Cease and Desist Violations Order - for Reporting Violations

A Cease and Desist Violations Order may be issued to an IU who has failed to conduct the periodic self-monitoring within the monitoring period as required by the Industrial Wastewater Permit. A Cease and Desist Violations Order may also be issued when an IU exceeds by more than thirty (30) days, the final deadline for submittal of the self-monitoring report or other report, criteria established for significant non-compliance (SNC). The Cease and Desist Violations Order may require the IU to conduct additional make-up self-monitoring within the specified period.

(iii) Cease and Desist Discharge Order - for Illegal Discharge

A Cease and Desist Discharge Order may be issued to the IU for the illegal discharge of harmful industrial/process wastewater to the City's sewer system without an Industrial Wastewater Permit or with an expired Industrial Wastewater Permit. The IU may have been served with a Notice of Violation and an application for Industrial Wastewater Permit, and have failed to submit the application by the deadline while continuing to discharge industrial wastewater to the City Sewer System.



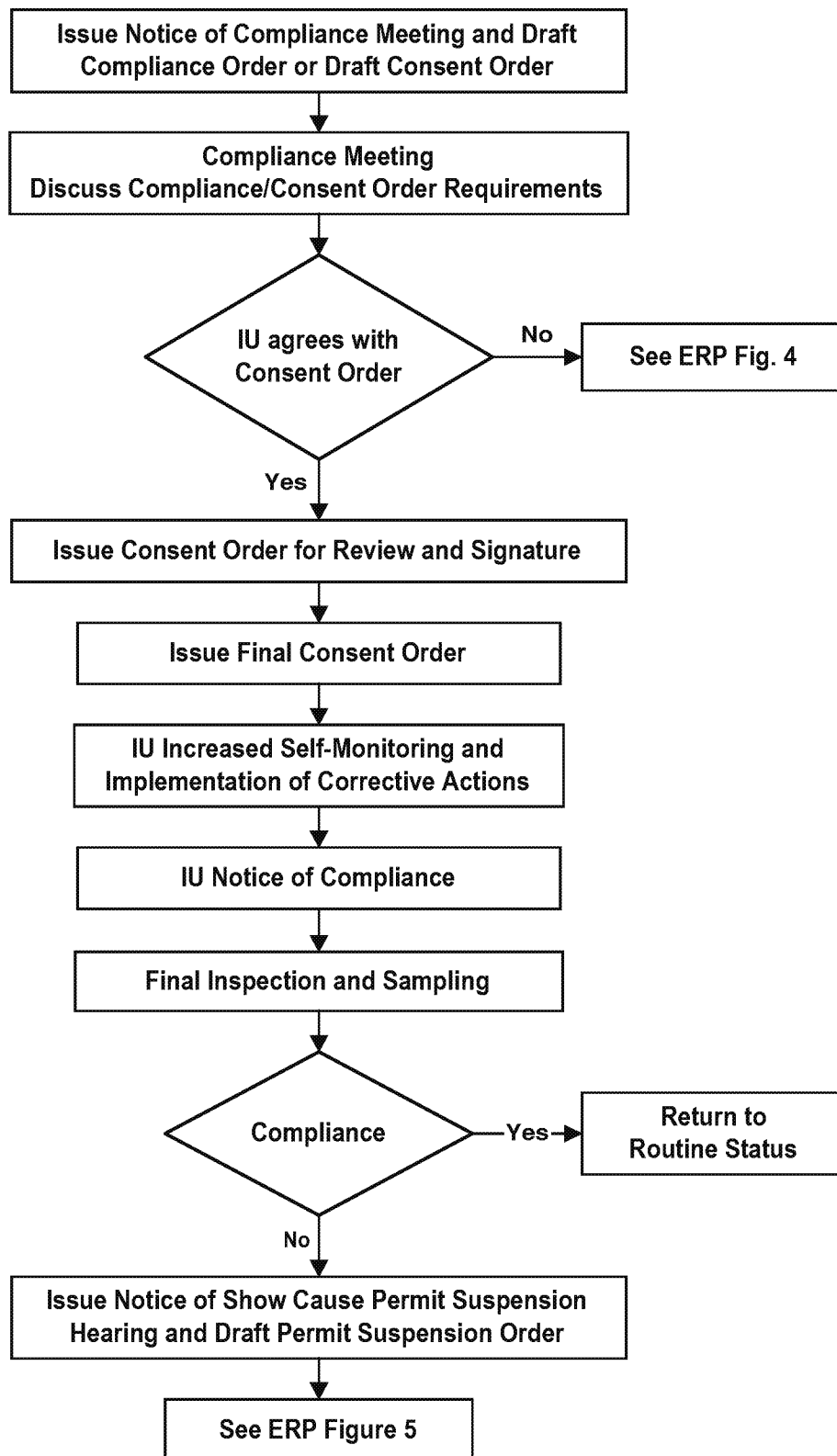
**ERP Figure 2. Cease and Desist Violations Order Process
(for Discharge Violations)**

2.1.7.2 Consent Order

The Consent Order is an agreement between the City and IU regarding implementation of corrective action or pretreatment equipment installation to achieve full and permanent compliance by a specified date. This document requires signatures of both IWMD and IU management and signifies the IU's display of good faith. The Consent Order may be appropriate when the IU assumes responsibility for its noncompliance and is willing to correct its cause(s) of violations to minimize the potential of escalated enforcement action being taken. A Consent Order may also include a detailed compliance schedule and/or require IU to perform additional self-monitoring.

The terms and conditions of a Consent Order are discussed with the IU during a Compliance Meeting. In addition to discussing proposed corrective actions and establishing a final date for achieving full and permanent compliance, the IU may be required to achieve interim compliance, through implementation of intermediate measures such as batch treatment, storage, or legal hauling and disposal of waste generated throughout the compliance period. ERP Figure 3 depicts an example flow diagram of this process. An example of a Consent Order is included in Exhibit 4.

After the completion of the ordered activities, the IU's compliance status is re-evaluated. The results of the self-monitoring and the corrective actions taken may indicate that compliance has been achieved; however, a final inspection and close-out monitoring is conducted by IWMD staff to verify compliance independent of data submitted by the IU. If either the self-monitoring or POTW data indicate that violations occurred, or show the corrective actions to be ineffective, then escalated enforcement action may be warranted. These actions may include issuance of a draft Permit Suspension Order and conducting a Show Cause Permit Suspension Hearing.



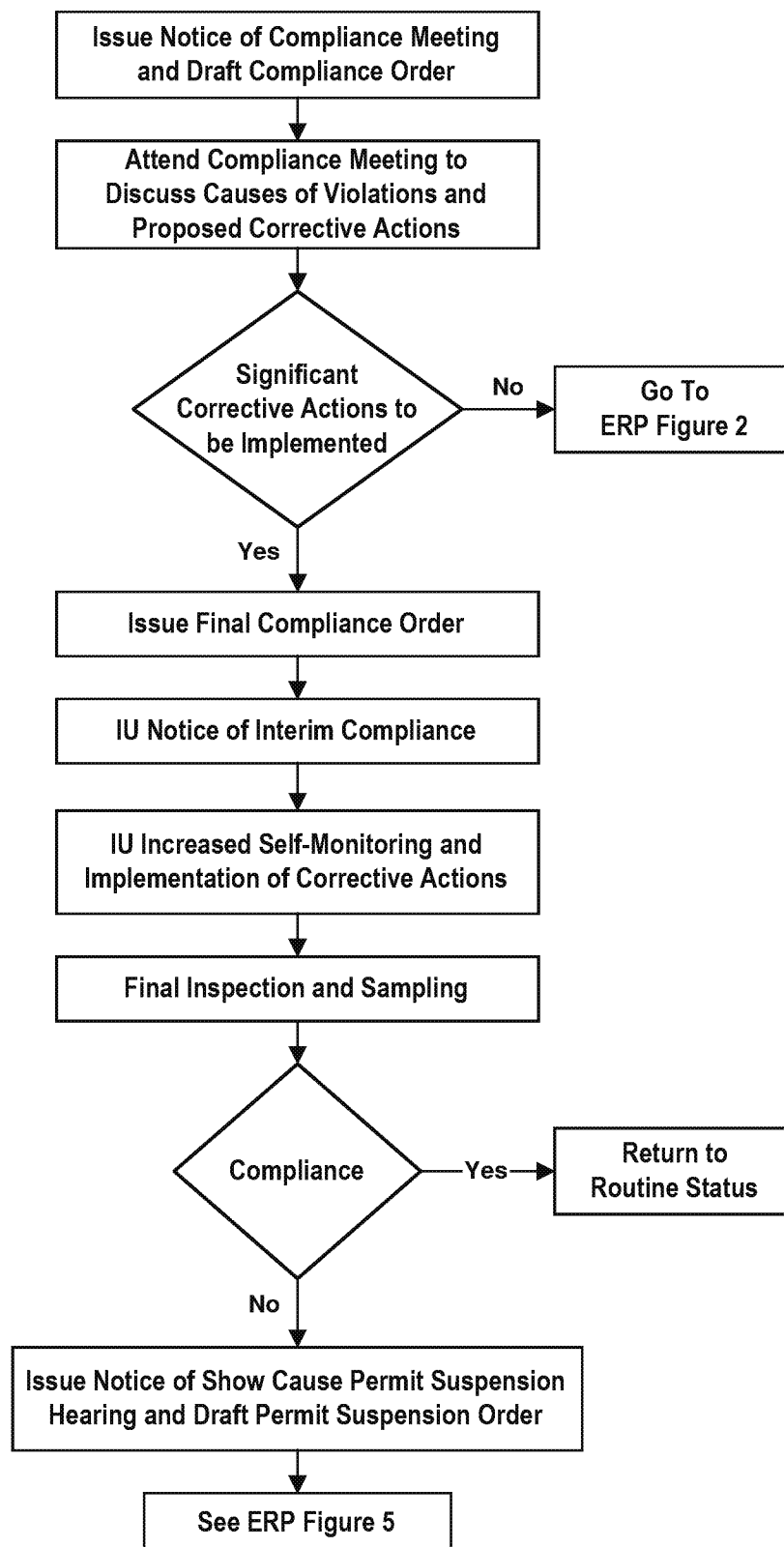
ERP Figure 3. Consent Order Process

2.1.7.3 Compliance Order

A Compliance Order may be issued to an IU that is not in compliance with the requirements of an Industrial Wastewater Permit or an IU that failed to comply with Cease and Desist Order requirements. A Compliance Order directs a non-compliant IU to achieve full and permanent compliance through the implementation of corrective actions. Unlike a Cease and Desist Order, the corrective actions required under a Compliance Order usually involve significant construction, repairs, or process changes. The IU is required to implement corrective actions and return to full and permanent compliance according to a compliance schedule that is part of the Compliance Order. The compliance schedule typically spans ninety (90) days. However, the final compliance schedule will be established on a case by case basis and agreed upon based on the extent of corrective actions and/or appropriate time needed for the IU to complete the plans of corrective actions. An example of the Compliance Order process is shown in ERP Figure 4.

The terms and conditions of a Compliance Order are discussed with the IU during a Compliance Meeting. The meeting gives the IU the opportunity to discuss the cause of the violations and propose corrective actions to be taken to achieve full and permanent compliance. Also, a Compliance Schedule is established which sets milestones to achieve interim compliance, perform additional self-monitoring, submit documents and achieve permanent compliance. An example of a Compliance Order is included in Exhibit 5.

After the completion of the ordered activities, the IU's compliance status is re-evaluated. The results of the self-monitoring and the corrective actions taken may indicate that compliance has been achieved; however, a final inspection and close-out monitoring is conducted by IWMD staff to verify compliance independent of data submitted by the IU. If either self-monitoring or POTW data indicate that violations occurred, or show corrective actions to be ineffective, then escalated enforcement actions may be warranted. These actions may include conducting a Show Cause Permit Suspension Hearing.



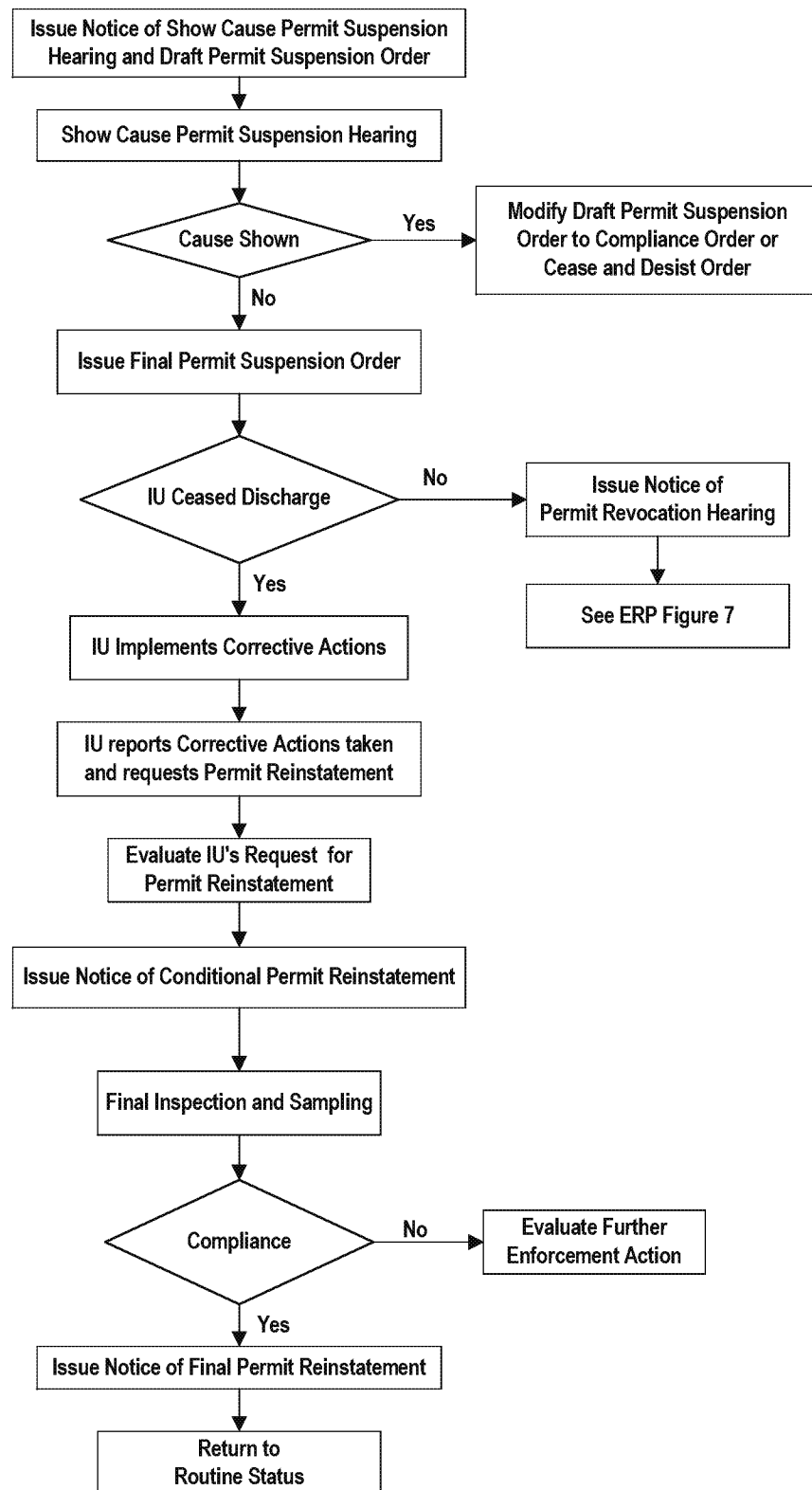
ERP Figure 4. Compliance Order Process

2.1.7.4 Permit Suspension Order

In cases where an IU fails to come into compliance under a Compliance Order or is not in compliance with conditions contained in the Industrial Wastewater Permit, the IU may be issued a Notice of Show Cause Permit Suspension Hearing and a draft Permit Suspension Order. Refer to ERP Figure 5 for an example of the Permit Suspension Order process. The notice normally requires that the IU attend a meeting with IWMD staff in which the IU would be provided with an opportunity to show cause why its permit should not be suspended and propose any additional corrective actions. After hearing the IU's case, a determination would be made whether to issue the final Permit Suspension Order. If the IU shows sufficient cause not to suspend the permit, the original Compliance Order may be modified to address additional proposed actions, or a final inspection and sampling can be performed if the IU has completed all corrective actions prior to, or immediately following, the Show Cause Permit Suspension Hearing.

Once a Permit Suspension Order is issued as final, the IU is normally required to submit a notice stating that discharge to the sewer system has ceased. In order for the suspension to be lifted, the IU will be required to submit a Notice of Compliance and a report describing additional corrective actions taken. After satisfactory evaluation by IWMD staff, the IU may be issued a Notice of Conditional Permit Reinstatement. A final inspection and sampling, as appropriate, can then be conducted. A Notice of Final Permit Reinstatement may be withheld until the IU is returned to routine status. Exhibit 6 includes example documents pertaining to permit suspensions.

In the case where a permit is suspended, the City's ordinance provides the IU with an opportunity for filing an appeal (hearing request) to the Board of Public Works. The Board should normally hold a hearing on the suspension within 14 days of receipt of the request.



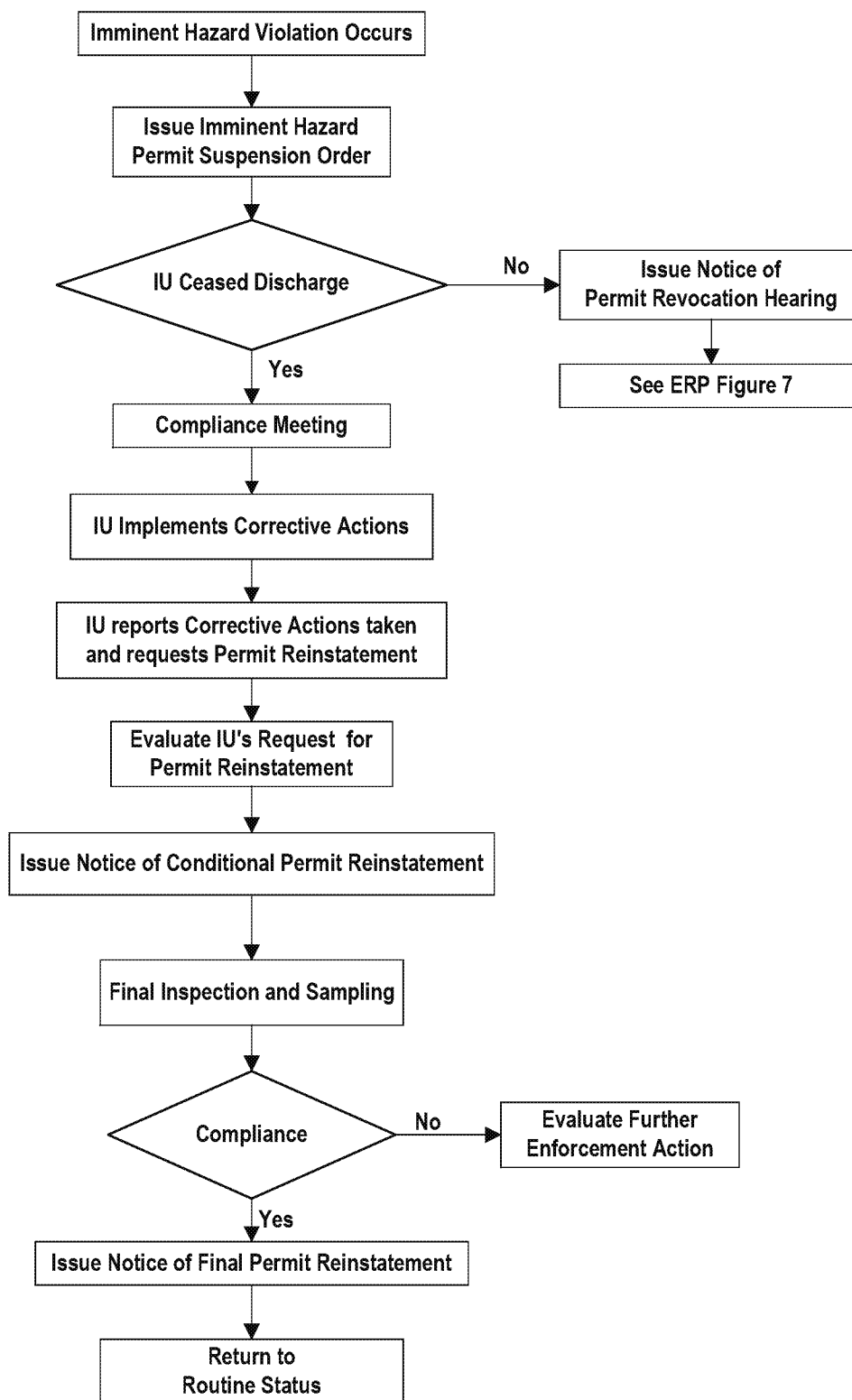
ERP Figure 5. Permit Suspension Order Process

At the conclusion of the Board hearing, the Board shall make a determination whether to terminate or conditionally terminate the suspension imposed by the Director or designee (Manager of the IWMD) or the Board may cause the permit to be revoked. In cases where sufficient corrective actions are not taken by the IU within a reasonable time frame (e.g., 90 days), the City may proceed with actions to revoke the permit.

2.1.7.5 Imminent Hazard Permit Suspension Orders

In instances where an IU's wastewater discharge or operating conditions present an imminent hazard, an industrial wastewater permit may be immediately suspended and the IU ordered to cease discharge to the sewer system. Refer to ERP Figure 6 for an example of the Imminent Hazard Permit Suspension Order process. Due to the serious nature of such discharge as well as health and safety concerns, the IU is not provided with the opportunity for a Show Cause Permit Suspension Hearing prior to issuance of the Imminent Hazard Permit Suspension Order. An example of a Permit Suspension Order for imminent hazard is included in Exhibit 7. Under these circumstances, following permit suspension, the IU may be required to or request to attend a Compliance Meeting with IWMD staff.

As with standard Permit Suspension Orders, the IU is normally required to submit a notice stating that discharge to the sewer system has ceased. In order for the suspension to be lifted, the IU may be required to submit a Notice of Compliance and a report describing additional corrective actions taken. After satisfactory evaluation by IWMD staff, the IU may be issued a Notice of Conditional Permit Reinstatement. A final inspection and sampling, as appropriate, may then be conducted. A Notice of Final Permit Reinstatement may be withheld until the IU is returned to routine status.

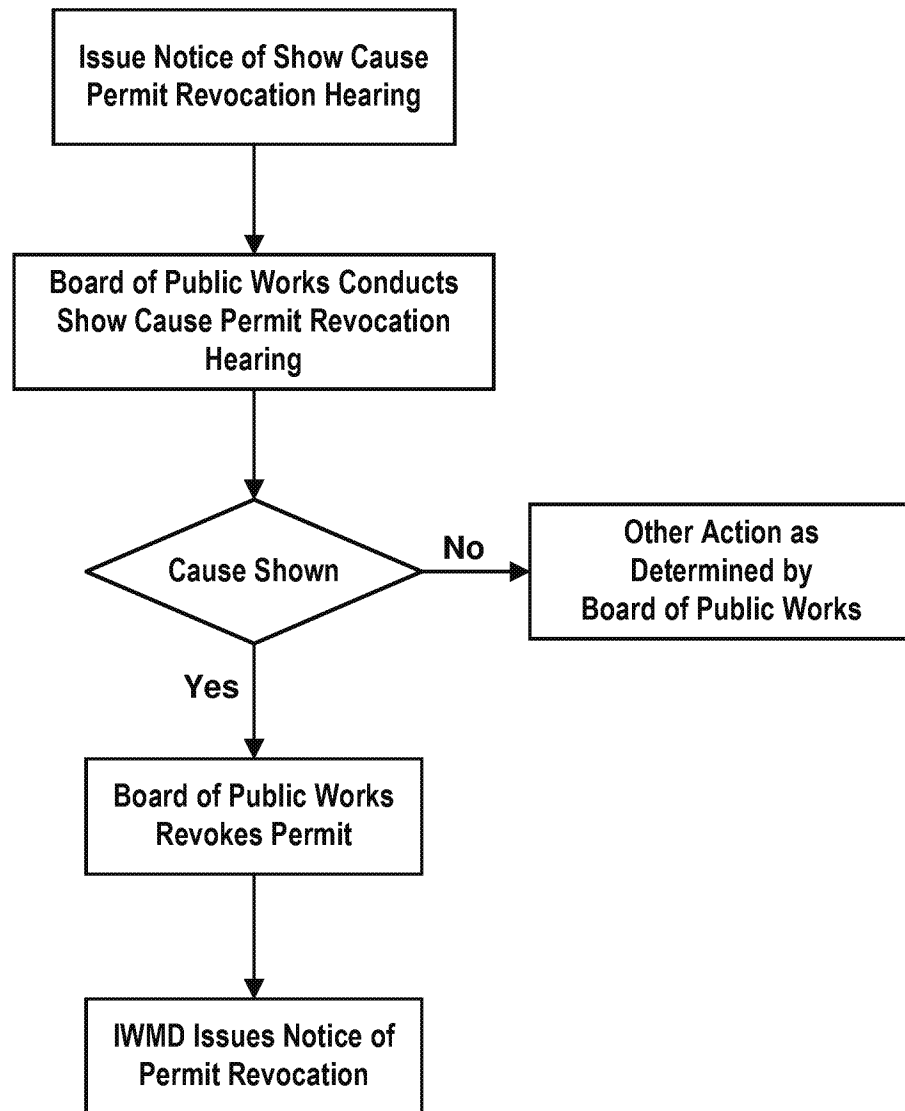


ERP Figure 6. Imminent Hazard Permit Suspension Order Process

As an alternative to attending a Compliance Meeting with IWMD staff, the City's ordinance provides the IU with an opportunity for filing an appeal (hearing request) to the Board of Public Works. The Board should normally hold a hearing on the imminent hazard suspension within three (3) days of receipt of the request.

At the conclusion of the Board hearing, the Board would make a determination whether to terminate or conditionally terminate the suspension imposed by the Director or designee (Manager of the IWMD), or the Board may cause the permit to be revoked.

In cases where sufficient corrective actions are not taken by the IU within a reasonable time frame (e.g., 90 days), the City may proceed with actions to revoke the permit.



ERP Figure 7. Permit Revocation Process

2.1.8 Permit Revocation

In the event of significant, willful, or continuous violations of discharge standards, failure to pay fees, or violations of administrative order requirements, an Industrial Wastewater Permit may be revoked. ERP Figure 7 depicts example procedures for this action. Prior to a revocation occurring, the IU would be notified of the scheduled date for a Show Cause Permit Revocation Hearing before the Board of Public Works (Board). The hearing would then be conducted in a quasi-judicial manner, and allow for both IWMD and IU to each present its case to the Board. This would be followed by cross-examination and questioning by Board members. The IU is also provided with a copy of the IWMD's case against it and may be represented by legal counsel if it so chooses. At the conclusion of the hearing, the Board would consider the facts presented and make a determination to adopt IWMD's recommendations or impose conditions of its own.

In addition to recommending revocation of the permit, IWMD recommendations at Show Cause Permit Revocation Hearings can also include; sealing and severing the sewer connection, continued monitoring of IU activities, recovery of all City incurred costs, case referral to other affected regulatory agencies, and case referral to the City Attorney/District Attorneys Office for civil/criminal investigation. Exhibit 8 contains examples of permit revocation documents.

When an Industrial Wastewater Permit is revoked, IWMD issues a Notice of Permit Revocation to the IU. A new permit may be withheld until the IU has adequate control technology in place, and has proved that consistent compliance with pretreatment requirements can be achieved upon commencement of discharge.

2.1.9 Termination of Sewer Service

As discussed in Section 2.1.8, often times in conjunction with permit revocation, sewer connections are sealed. Termination of sewer service may force an IU to cease its business activities until corrective actions acceptable to the City of Los Angeles are undertaken. Since a halt in business activities and closure of the IU's facility may result, it is expected that this enforcement response, if used, would address serious situations such as continued noncompliance by the IU to display no good faith, IU discharge which presents an imminent hazard, or situations which place the City of Los Angeles in violation of its NPDES permit.

2.1.10 Termination of Water Service

Termination of water service is an available option; however, it requires cooperation with the City of Los Angeles, Department of Water and Power (DWP). The Department of Public Works, LA Sanitation and Environment does not have authority to unilaterally discontinue water service, but may request such action by DWP. As with termination of sewer service, termination of water service may force the IU to cease its business activities until corrective actions acceptable to the City of Los Angeles are undertaken. Since a halt in business activities and closure of IU facility may result, it is expected that this enforcement response, if used, would address situations such as continued noncompliance by the IU to display no good faith, IU discharge which presents an imminent hazard, or situations which place the City of Los Angeles in violation of its NPDES permit.

2.1.11 Publication of Significant Noncompliant IUs

Pursuant to Section 64.30 of the City's Ordinance, and in accordance with federal pretreatment regulations, the City publishes, on an annual basis, a list of IUs that exceed the criteria established for significant noncompliance (SNC). These IUs have their facility names and addresses published in local newspapers as Significant Noncompliant IUs (SNCs).

The City also reserves its rights, as an additional enforcement response, to provide public notice of IU noncompliance more frequently than once a year. Such additional adverse publicity may result in increased incentive for an IU to achieve compliance.

2.1.12 Recovery of City Incurred Costs

Pursuant to the City's Ordinance, IUs may be liable for all costs incurred by the City during the course of an investigation and the subsequent enforcement action. These costs include, but are not limited to, labor, material, inspection, engineering, transportation, overhead, and associated incidental expenses.

2.1.13 Civil Filing

In the event of violations of any provision of the City's Ordinance or any term or condition of any permit issued pursuant to said Ordinance, IWMD may refer the case to the City Attorney's Office for civil prosecution. Any such IU referred for civil prosecution shall be civilly liable to the City for up to \$25,000 per day for each violation. It is recognized, however, that due to litigation and other concerns, City

representatives may exercise professional judgement and settle lawsuits for less than the maximum penalty amount. Furthermore, the City may petition the Superior Court for injunctive relief to halt any discharge of industrial wastewater which causes or threatens to cause a condition of contamination, pollution, or nuisance.

2.1.14 Criminal Prosecution

In support of the Los Angeles County District Attorney Environmental Crimes Strike Force (Strike Force), and in an effort to curtail the discharge of untreated industrial wastewater discharge into the City's sewer system, IWMD staff may conduct surveillance monitoring of selected IUs in various locations throughout the City sewer system. In parallel to, and independent of the criminal investigation, IWMD may take administrative action against an IU that is being investigated for potential criminal prosecution.

After evidence of discharge violations has been gathered by IWMD monitoring crews, the case is presented to the Strike Force for investigation or discovery of additional evidence or illegal activity. If sufficient evidence of criminal activity is found, a search warrant may be obtained and an on-site criminal investigation conducted. The results of this investigation frequently lead to permit revocation, sewer sealing, additional criminal investigations, and more recently, grand jury hearings.

In addition, any person who violates any provision of the City's Ordinance is guilty of a misdemeanor punishable by a fine not to exceed \$1,000 per violation per day or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment.

2.1.15 Referral to EPA or State

In some instances, authority available to the City of Los Angeles may not be suitable to address the environmental objectives. For this reason, or any other reason the City of Los Angeles determines to be good cause, the City may refer IU violation(s) to the EPA and/or State for a federal and/or State enforcement response.

The City of Los Angeles may assist in the federal and/or State-lead enforcement action. Referral of cases to the EPA and/or State may serve to increase the deterrent value of initial Los Angeles enforcement responses and could result in more constructive public relations.

2.1.16 No Action Response

For some types of violations, the decision may be no action response necessary at this time. A decision by the City of Los Angeles not to initiate an enforcement response for industrial user violation(s), however, does not absolve the industrial user from any liability or damages should the City of Los Angeles, EPA, the State of California, or any other person, as appropriate, seek to initiate an enforcement response for such, or any other, violations by the industrial user.

SECTION

3

ENFORCEMENT RESPONSE GUIDE

3.1 INTRODUCTION

LA Sanitation and Environment, Industrial Waste Management Division has developed the following Enforcement Response Guide (ERG) intended to define a range of appropriate enforcement responses based on the nature and severity of the violations, and to promote consistent and timely initiation of enforcement actions.

In developing this guide, several issues were taken into consideration regarding the circumstances surrounding a violation in order to determine an appropriate enforcement response. This is discussed in further detail in Section 3.2.

Section 3.3 includes the actual ERG which itemizes the violations and lists corresponding enforcement response alternatives.

Section 3.4 includes discussion of the Division's time frame goals for implementing the enforcement responses.

3.2 ENFORCEMENT RESPONSE CONSIDERATIONS

A user of this guide may select from several alternative initial and follow-up actions. Enforcement responses available to the Division, but not listed in the ERG may be used at any time, however, the enforcement response selected should be appropriate to the violation. In determining the appropriate response to a violation, the following criteria may be considered:

- Magnitude of the Violation
- Duration of the Violation
- Effect of Violation on receiving water
- Effect of Violation on POTW
- Compliance History of the IU
- Good Faith of the IU
- IU Industrial Wastewater Permit Status
- IU discharging without an Industrial Wastewater Permit

Each of the above listed criteria is discussed in further detail in the following sections. Other considerations, as the Division staff deems appropriate (e.g., economic benefit or savings resulting from the violation; IU ability to pay; and equitable considerations) may also be utilized in determining an enforcement response to IU violation(s).

3.2.1 Magnitude of the Violation

Some violations of an isolated or insignificant nature may require a response with some type of informal enforcement action such as a phone call or the issuance of an NOV. However, violations of a significant nature, even a single occurrence, can threaten the public health and the environment, damage the POTW's, or threaten the integrity of the Division's pretreatment enforcement program.

3.2.2 Duration of the Violation

Regardless of the magnitude, Division staff may consider the duration of violations in determining an enforcement response. All else being equal, violations which continue over extended periods of time are a higher enforcement priority.

3.2.3 Effect on Receiving Water

Inasmuch as one of the objectives of the National Pretreatment Program is to prevent pollutants from "passing through" the POTW and entering the receiving body of water, Division staff may consider the actual or potential effect on receiving water in fashioning an enforcement response. All else being equal, violations which can result in, or contribute to, environmental harm are a higher enforcement priority.

3.2.4 Effect on the POTW

Some discharge violations may result in adverse effects on the POTW itself. Adverse effects on the POTW may include: significant increases in treatment costs; interference or harm to POTW personnel, equipment, processes, or operations; sludge contamination resulting in increased disposal costs; and damage or obstruction to the collection system. When responding to a violation of this type, Division staff may consider these factors and determine the appropriate enforcement response to deter similar types of noncompliance in the future, in addition to recovering any costs incurred by the POTW as a result of the violation.

3.2.5 Compliance History of IU

IUs exhibiting patterns of recurring violations may lack adequate pretreatment equipment or have a casual attitude towards maintaining compliance with pretreatment standards. Patterns of violations may be recurring instances of the same type of noncompliance, or they may be recurring instances of noncompliance with various program requirements. Division staff may consider the compliance history of an IU in tailoring an enforcement response to the situation. In such instances, review of the IU compliance history may be an important element in determining whether a formal, or a less severe, enforcement response will be taken. However, when reviewing an IU's compliance history, many aspects can be considered. For example, an IU without an adequate pretreatment system or waste management program, whose history indicates no prior violations, but whose water use potentially seems excessive, may not necessarily be considered as having a "good compliance history".

3.2.6 Good Faith of IU

When determining an appropriate enforcement response, the good faith of the IU is sometimes taken into account. "Good faith", however, is sometimes difficult to measure as even the best intentions of the most sincere IU go by the wayside, if the "incentive" to maintain compliance is not provided. Establishing and maintaining "good faith" through timely corrections of previous noncompliance, or taking action to prevent noncompliance before it occurs, may affect the enforcement response enlisted, and should be the goal of each IU.

3.2.7 IU Industrial Wastewater Permit Status

Newly permitted IUs, or the IUs whose Industrial Wastewater Permits have been amended, may experience difficulty in achieving compliance with pretreatment standards.

IWMD staff may consider the permit status when initiating an enforcement response for an IU. In instances where an IU is having difficulty achieving compliance with new or amended permit conditions; a more formal administrative action may be warranted in response to a first-time violation.

3.2.8 IU Discharging without Industrial Wastewater Permit

When an IU is found to be discharging to the POTW without an Industrial Wastewater Permit, IWMD staff may elect to issue a Cease and Desist Discharge Order. The Order requires the IU to submit a letter certifying that the unpermitted discharge of industrial wastewater to the POTW has ceased, and requires the IU to submit a permit application within a specified time period.

3.3 ENFORCEMENT RESPONSE GUIDE STRUCTURE

Table 3.1 is the Enforcement Response Guide for the City of Los Angeles pretreatment enforcement program. This guide illustrates the general range of appropriate enforcement options available in the event of a violation. An enforcement response is deemed appropriate, depending upon the circumstances of each case. The identified enforcement responses are not mutually exclusive; Division staff may combine enforcement responses to the extent provided for by law, as it deems appropriate.

The guide establishes a system for identifying priorities and directing the flow of enforcement actions based on the most serious violations and available resources. Notwithstanding any other provision set forth in the guide, it is recognized that, in responding to IU violation(s), the City maintains the maximum degree of flexibility and use of its professional judgement as allowed by applicable federal and state law and regulations. Deviations from this Enforcement Response Plan and Guide may occur, depending upon the facts of a specific case.

The ERG includes five violation categories, each with sub-violations of varying severity. The seven main categories are:

- 1) Illegal Discharges;
- 2) Discharge Violations;
- 3) Non-Discharge Violations;
- 4) Enforcement Compliance Schedule Violations; and
- 5) Permit Condition Violations.

Following each main category, the guide presents, within each violation category, the violation type, nature of the violation, a range of appropriate enforcement responses, and responsible personnel. It is recognized that the ability of the City of Los Angeles to implement these responses may be limited by jurisdictional boundaries.

Acronyms are used in the matrix table to indicate the appropriate enforcement action. The list of acronyms with their appropriate meaning is presented below. The enforcement actions are described in the ERP in greater detail. The actions establish the available options to respond, both initially and, in the event of further non-compliance, in follow-up activities. The possible actions are:

CDO	-	Cease and Desist Order
CF	-	Civil Filing
CM	-	Compliance Meeting
CNO	-	Consent Order
CO	-	Compliance Order
CR	-	Cost Recovery
CRF	-	Criminal Filing
IHPSO	-	Imminent Hazard Permit Suspension Order
IMR	-	Increased Monitoring and Inspection
NA	-	Non-applicable
NAR	-	No Action Required at this Time
NOV	-	Notice of Violation
PR	-	Permit Revocation
PUB	-	Publication of Significant Noncompliant IUs
REF	-	Referral to EPA or State
SC	-	Show Cause Hearing
SPSO	-	Standard Permit Suspension Order
TC	-	Telephone Contacts
TSS	-	Termination of Sewer Service
TWS	-	Termination of Water Service
WN	-	Warning Notice

3.3.1 ENFORCEMENT RESPONSE GUIDE

1 - ILLEGAL DISCHARGE VIOLATIONS

VIOLATION TYPE	NATURE OF VIOLATION	APPROPRIATE ENFORCEMENT RESPONSES	RESPONSIBLE PERSONNEL ¹
Unpermitted Discharge to sewer	IU unaware of permit requirement (insignificant - no harm)	TC, WN, NOV requiring permit application	Insp, Insp, Insp
	IU unaware of permit requirement (significant - causes harm)	NOV requiring permit application, CM, CR	Insp, Eng, Eng
	Continued discharge after notification by POTW	NOV, CDO, CM, CO, TSS	Insp, Eng, Eng, Eng, Bd
Discharge with Expired Permit	Failure to renew permit	WN, NOV requiring permit application, CDO, SPSO	Insp, Insp, Eng, Eng
Discharge with Board Revoked Permit (result of enforcement action)	Any occurrence	TSS, TWS, CF, CRF, REF	Bd, Bd, Att, Att, Eng
Failure to inform POTW of Ownership Change	First occurrence	WN, NOV requiring permit application	Insp, Insp
Discharge with Suspended Permit (result of enforcement action)	Any occurrence	PR, TSS, TWS, CF, CRF, REF	Bd, Bd, Att, Att, Eng
Discharge with Revoked Permit (result of enforcement action)	Any occurrence	TSS, TWS, CF, CRF, REF	Bd, Bd, Att, Att, Eng

- Insp- Inspector
 Eng- Engineer
 Bd - Board of Public Works
 Att - City Attorney
 NA - Not Applicable

2 - DISCHARGE VIOLATIONS

VIOLATION TYPE	NATURE OF VIOLATION	APPROPRIATE ENFORCEMENT RESPONSES	RESPONSIBLE PERSONNEL¹
1. Exceedance of Local or Federal Limits(from POTW or self monitoring sampling) or Best Management Practices	Isolated - non-significant	NAR, NOV	NA, Insp
	Isolated - significant	NOV, CDO, CM, CNO, CO, IMR, CR	Insp, Eng, Eng, Eng, Eng, Insp, Eng
	Frequent - nonsignificant	NOV, CDO	Insp, Eng
	Frequent - significant	NOV, CM, CO, IMR, CR	Insp, Eng, Eng, Eng, Insp, Eng
	Discharge causes known damage or imminent hazard	NOV, IHPSO, CR	Insp, Eng, Eng
2. Slug Load Uncontrolled Discharge	Isolated - nonsignificant (no known damage)	TC, WN, NOV	Insp, Insp, Insp
	Isolated - significant (known damage or pass through) or exceeding Title 22 limits for hazardous material	NOV, IHPSO, CR	Insp, Eng, Eng
	Frequent - any type	NOV, CM, SC, SPSO	Insp, Eng, Eng, Eng
3. Violations Detected from Surveillance Monitoring	Discharge of prohibited material (insignificant - no harm)	NAR, TC, WN, NOV, CDO	NA, Insp, Eng, Insp, Eng
	Discharge of prohibited material (significant - causes harm)	NOV, CM, CO, CR, SC, SPCO, CF, REF	Insp, Eng, Eng, Eng, Eng, Eng, Att, Eng
4. Exceedance of Limits while on Probation	Isolated - non-significant	NOV, IMR, CM, CO	Insp, Eng, Eng, Eng
	Isolated - significant	NOV, IMR, CM CO, SC, SPSO	Insp, Insp, Eng, Eng, Eng, Eng

1. Insp- Inspector
Eng - Engineer
Bd - Board of Public Works
Att - City Attorney
NA - Not Applicable

3 – NON-DISCHARGE VIOLATIONS

VIOLATION TYPE	NATURE OF VIOLATION	APPROPRIATE ENFORCEMENT RESPONSES	RESPONSIBLE PERSONNEL ¹
1. Reporting Violations	Reporting deficiency - Failure to report, incomplete reports including SMRs	WN, NOV	Eng, Insp
	Delinquent Report (<30 days)	NAR, TC, WN, NOV	NA, Insp, Insp, Insp
	Report not submitted - significant violation (>30 days)-SNC, Report submitted after SNC deadline	WN, NOV, CDO, PUB	Eng, Insp, Eng, Eng
	Recurring late reports	NOV, CDO	Insp, Eng
	Complete failure to submit self- monitoring report	NOV, CDO, IMR, PUB	Insp, Eng, Eng, Eng
	Failure to accurately report non-compliance	NOV, CDO	Insp, Eng
	Intentional falsification of reports	NOV, SC, SPSO, PR, TSS, CF, CRF	Insp, Eng, Eng, Bd, Bd, Att, Att
2. Failure to Monitor Correctly	Failure to monitor for all regulated pollutants	TC, WN, IMR, NOV	Eng, Eng, Insp, Eng
	Improper sampling procedure	TC, WN, IMR, NOV	Eng, Eng, Engr, Insp
	Failure to prenotify of self-monitoring sampling	NAR, TC, WN, IMR, NOV	NA, Insp, Insp, Insp
	Failure to prenotify of batch discharge	NAR, TC, WN, IMR, NOV	NA, Insp, Insp, Insp, Insp
	Failure to report additional self-monitoring	WN, NOV,	Insp, Insp
	Failure to resample following a self-monitoring violation	WN, NOV, IMR	Eng, Insp, Eng
	Recurring failure to monitor correctly	IMR, NOV, CDO	Insp, Insp, Eng
3. Failure to Install Monitoring Equipment	Delay of 60 days or less	NAR, WN, NOV	NA, Insp, Insp
	Delay of 60 days or more	WN, NOV, CDO, CM, CO	Eng, Insp, Eng, Eng,
4. Failure to Report Violation or Slug Discharge	Failure to notify POTW of a violation	NAR, IMR, NOV	NA, Insp, Insp
	Failure to report a spill	NAR, NOV	NA, Insp
	Failure to report a change in discharge	TC, WN, NOV	Insp, Insp, Insp
	Repeated failure to report (spill, violation, change in discharge)	NOV, CDO	Insp, Eng
5. Inadequate record-keeping	Batch discharge log, pH recorder tape, etc.	TC, WN, NOV	Insp, Insp, Insp
6. Failure to maintain monitoring equipment	Operating poorly	TC, WN, NOV, CDO, CM, CO	Insp, Insp, Insp, Eng, Eng, Eng
	Not operating	NOV, CDO, CM, CO, SC, SPSO	Insp, Eng, Eng, Eng, Eng, Eng

1. Insp- Inspector
Eng - Engineer
Bd - Board of Public Works
Att - City Attorney
NA - Not Applicable

4 - ENFORCEMENT COMPLIANCE SCHEDULE VIOLATIONS

VIOLATION TYPE	NATURE OF VIOLATION	APPROPRIATE ENFORCEMENT RESPONSES	RESPONSIBLE PERSONNEL ¹
1. Missed Interim Compliance Schedule Milestone	Can be completed within 90 days or will not affect final milestone	NAR, TC, WN, NOV	NA, Eng, Eng, Insp
	Cannot be completed within 90 days and will affect final milestone (acceptable cause for delay)	NAR, TC, WN, NOV	NA, Eng, Eng, Insp
	Cannot be completed within 90 days and will affect final milestone (unacceptable cause for delay)	NOV, CM, CO	Insp, Eng, Eng
	Frequent schedule violations	NOV, CM, CO, SC, SPSO, CF, REF	Insp, Eng, Eng, Eng, Eng, Att, Eng
2. Missed Final Compliance Date	Compliance can be achieved within 90 days - acceptable cause for delay	NAR, TC, WN, NOV	NA, Insp, Eng, Insp
	Compliance cannot be achieved within 90 days - acceptable cause for delay	NAR, TC, WN, NOV	NA, Insp, Eng, Insp
	Compliance not achieved within 90 days - unacceptable cause for delay	NOV, CM, CO, SC, SPSO	Insp, Eng, Eng, Eng, Eng
3. Failure to submit required information	Inadequate information submitted	TC, WN, NOV	Insp, Insp, Insp
	No information submitted	TC, WN, NOV	Insp, Insp, Insp

1. Insp- Inspector
Eng- Engineer
Bd - Board of Public Works
Att - City Attorney
NA - Not Applicable

5 - PERMIT CONDITION VIOLATIONS

VIOLATION TYPE	NATURE OF VIOLATION	APPROPRIATE ENFORCEMENT RESPONSES	RESPONSIBLE PERSONNEL ¹
1. Wastestream Diluted in Lieu of Treatment	First occurrence	TC, WN, NOV, CDO	Insp, Insp, Insp, Eng
	Repeated occurrence	NOV, CM, CO	Insp, Eng, Eng
2. Failure to Properly Operate/Maintain PTS	First Occurrence	NAR, NOV, TC, WN	NA, Insp, Insp, Insp
	Repeated occurrence	NOV, CDO	Insp, Eng

1. Insp- Inspector
Eng- Engineer
Bd - Board of Public Works
Att - City Attorney
NA - Not Applicable

3.4 Time Frame Goals for Enforcement Responses

Generally the time frame for responses will be based upon the nature of the violation and competing pretreatment priorities. Violations which threaten human health, the POTW or the environment will be given priority, as will SIU violations which meet the criteria for significant noncompliance (SNC). An IU which has been subject to an enforcement response establishing compliance schedule milestones but, nevertheless, identified as SNC or otherwise deemed to be in noncompliance (until it achieves the final compliance milestone of its compliance schedule), need not be subject to additional enforcement. Any subsequent enforcement against such IU is in the sole discretion of the City of Los Angeles.

The following time frames describe the Division's goals to take proper action following a review of an industrial user file and Division staff determining that an enforcement response or follow-up enforcement response is appropriate. These goals, however, do not preclude the Enforcement Division from taking appropriate actions in a shorter or longer time frame if deemed necessary. Moreover, certain enforcement responses may require internal notifications and/or approvals of other departments of the City of Los Angeles. As such, it is recognized that initiation of some enforcement responses may be time consuming and result in the initiation of an enforcement action beyond a time period otherwise anticipated or set forth below.

Time Frame Goals to Implement Enforcement Action

- A. If telephone contact or reminder letter is used, initiate action within 10 to 45 days.
- B. If increased monitoring and/or inspection is used, initiate such action within 45 days.
- C. If an NOV or Compliance Meeting is used, initiate action up to 60 days.
- D. If a Consent Order, Cease and Desist Order, Compliance Order or Show Cause Hearing is used, initiate process within 60 days.
- E. If a Standard Permit Suspension Order is used, initiate process within 90 days.
- F. If an Imminent Hazard Permit Suspension Order is used, initiate process within 5 to 60 days from the time imminent hazard situation has been identified.
- G. If Permit Revocation is used, initiate process within 30 to 90 days.
- H. If a civil penalty, criminal filing, termination of sewer service, termination of water service or referral to EPA or State is used, initiate process in 60 - 120 days.

EXHIBITS

EXHIBIT 1 WARNING NOTICES

- Discharge Violation
- Special Permit Condition Violation

EXHIBIT 2 NOTICE OF VIOLATION

- Sample Notice of Violation

EXHIBIT 3 CEASE AND DESIST ORDER DOCUMENTS

Categorical Industrial User (CIU)

- Cover Letter (Issuance of Cease & Desist Order)
- Cease and Desist Violations Order
- Notice of Termination of Enforcement Action

Non-Categorical Significant Industrial User (NCSIU)

- Cover Letter (Issuance of Cease & Desist Order)
- Cease and Desist Violations Order
- Notice of Termination of Enforcement Action

Local Industrial User (LIU)

- Cover Letter (Issuance of Cease & Desist Order)
- Cease and Desist Violations Order
- Notice of Termination of Enforcement Action

SMR Violations (SMR/Discharge Violations)

- Cover Letter (Issuance of Cease & Desist Order)
- Cease and Desist Violations Order
- Notice of Termination of Enforcement Action

Illegal Harmful Discharge (without IWP)

- Cover Letter (Issuance of Cease & Desist Order)
- Cease and Desist Discharge Order
- Notice of Termination of Enforcement Action

Illegal No-Harm Discharge (without IWP)

- Cover Letter (Issuance of Cease & Desist Order)
- Cease and Desist Order
- Notice of Termination of Enforcement Action

EXHIBIT 4 CONSENT ORDER DOCUMENTS

- Cover Letter (Issuance for Review and Signature)
- Cover Letter (Issuance of Final Consent Order)
- Consent Order
- Consent Order Schedule
- Notice of Termination of Enforcement Action

EXHIBIT 5 COMPLIANCE ORDER DOCUMENTS

Categorical Industrial User (CIU)

- Notice of Compliance Meeting
- Cover Letter (Issuance of Compliance Order)
- Compliance Order
- Compliance Order Schedule
- Notice of Termination of Enforcement Action

Non-Categorical Significant Industrial User (NCSIU)

- Notice of Compliance Meeting
- Cover Letter (Issuance of Compliance Order)
- Compliance Order
- Compliance Order Schedule
- Notice of Termination of Enforcement Action

Local Industrial User (LIU)

- Notice of Compliance Meeting
- Cover Letter (Issuance of Compliance Order)
- Compliance Order
- Compliance Order Schedule
- Notice of Termination of Enforcement Action

EXHIBIT 6 PERMIT SUSPENSION ORDER DOCUMENTS

- Notice of Show Cause Permit Suspension Hearing
- Cover Letter (Issuance of Permit Suspension Order)
- Permit Suspension Order
- Notice of Conditional Permit Reinstatement
- Notice of Final Permit Reinstatement

EXHIBIT 7 IMMINENT HAZARD PERMIT SUSPENSION ORDER DOCUMENTS

- Cover Letter (Notice of Imminent Hazard Permit Suspension)
- Imminent Hazard Permit Suspension Order
- Notice of Conditional Permit Reinstatement
- Notice of Final Permit Reinstatement

EXHIBIT 8 PERMIT REVOCATION DOCUMENTS

- Notice of Show Cause Permit Revocation Hearing
- Show Cause Permit Revocation Hearing Statement
- Notice of Permit Revocation

EXHIBIT 9 RECEIPT FOR HAND DELIVERED ORDERS

EXHIBITS

EXHIBIT 1

WARNING NOTICES

Date

IU Name
IU Address

Attention: Authorized Representative, Position Held

Industrial User No. IUXXXXXX
Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

WARNING NOTICE - DISCHARGE VIOLATION(S)

On Date, **IU** was issued a type of order Order requiring that consistent and permanent compliance be achieved by Date. On Date, after corrective actions were taken by **IU**, the enforcement case was closed.

Recent sampling however, has revealed that **IU** has exceeded federal/local pretreatment standards for constituents as specified in Industrial Wastewater Permit No. W-XXXXXX. As a result, Notice of Violation No. XXXXXXXX was issued for this violation.

IU has exceeded instantaneous maximum, daily maximum, and/or monthly/4-day (413 only) average discharge standards **number (#)** times for a total of **number (#)** days of violation, as shown below.

DISCHARGE LIMIT VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA- METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
	POTW-G				IM	1	
	POTW-C				DM	1	
	IU-G				DM	1	
	IU-C				MA	30	

4D - 4-Day Average (Pretreatment Stds, 40 CFR 413)
 CPS - Average of Combined City and IU Results
 DM - Daily Maximum (Pretreatment Stds, 40 CFR 4XX)
 IM - Instantaneous Maximum (Local Limit, LAMC 64.30)
 IU-C - Composite Sample collected by IU
 IU-G - Grab Sample collected by IU
 MA - Monthly Average (Pretreatment Stds, 40 CFR 4XX)
 NOV# - Notice of Violation Number
 POTW-C - Composite Sample collected by the City
 POTW-G - Grab Sample collected by the City
 (Note: Abbreviations not used may be deleted from the order)

This notice serves as a warning that further violations will subject **IU** to escalated enforcement action, which may result in permit suspension or revocation.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

Date

IU Name
IU Address

Attention: Authorized Representative, Position Held

Industrial User No. IUXXXXXX
Industrial Wastewater Permit No. W-XXXXXX

WARNING NOTICE - SPECIAL PERMIT CONDITION VIOLATION(S)

IU was issued an Industrial Wastewater Permit No. W-XXXXXX on Date which contained requirements for implementation of special permit conditions as follows:

(describe requirements, include due date)

These requirements were not met by the specified deadline, and as a result, Notice of Violation No. XXXXXXXX was issued to **IU** on Date. To date, these issues remain incomplete.

This notice serves as a final warning that if the above described permit conditions are not completed by Date, escalated enforcement action will be initiated against **IU**, which may result in permit suspension or revocation.

IU Name

- 2 -

Date

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

EXHIBIT 2

NOTICE OF VIOLATION

EXHIBIT 3

CEASE AND DESIST ORDER DOCUMENTS

(Exhibit 3)

**Cease and Desist Violations Order
for
Discharge Violations**

**Categorical Industrial User
(CIU)**

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

ISSUANCE OF CEASE AND DESIST VIOLATIONS ORDER (CIU-DISCHARGE VIOLATIONS)

A review of **IU's** compliance history indicates continued violations of conditions contained in Industrial Wastewater Permit No. W-XXXXXX and Section 64.30 of the Los Angeles Municipal Code.

(Discuss IU's violations, NOV's issued, and IU's response-if any)

In order to ensure that compliance with discharge standards is achieved, the attached Cease and Desist Violations Order is hereby issued to **IU**. The order requires **IU** to take all corrective actions necessary to achieve consistent and permanent compliance with all provisions of Industrial Wastewater Permit No. W-XXXXXX by Date.

Additionally, to demonstrate full compliance, the order requires **IU** to conduct **(number) additional daily/weekly/bi-weekly** self-monitoring for (specify constituents to be monitored) from Date to Date and submit self-monitoring reports and documentation by **Date**.

Be aware that failure to achieve and maintain compliance with pretreatment standards and permit conditions and/or failure to comply with the requirements of this Cease and Desist Violations Order will lead to escalated enforcement action and may result in permit suspension or revocation. This case may also be referred to the City Attorney's Office for civil and/or criminal filing which could subject **IU** to civil penalties of up to \$25,000 a day for each violation. In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LA SANITATION AND ENVIRONMENT
INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name
IU Address

INDUSTRIAL USER NO. IUXXXXXX

INDUSTRIAL WASTEWATER
PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

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CEASE AND DESIST
VIOLATIONS ORDER

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, LA Sanitation and Environment, under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the LA Sanitation and Environment, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the LA Sanitation and Environment finds that IU is in violation of conditions contained in Industrial Wastewater Permit No. W-XXXXXX.

This finding is made on the basis of the following facts:

1. IU was issued Industrial Wastewater Permit No. W-XXXXXX on Date, which prohibits discharge of industrial waste in violation of the City's Ordinance or regulations of the Board of Public Works made pursuant thereto;
2. IU's Industrial Wastewater Permit No. W-XXXXXX was most recently amended/renewed on Date; (Use if applicable)
3. IU is classified under Categorical Industrial User (CIU) Group SIXX with an average industrial wastewater flow of XXXX gpd;

4. **IU** operates a facility involved in (process description) and discharges non-domestic wastewater containing pollutants to the sanitary sewer system of the City of Los Angeles;
5. **IU** is a "significant industrial user" as defined by Part 403.3(v)(1)(i) of Title 40 of the Code of Federal Regulations (40 CFR) and is subject to general pretreatment standards and National Categorical Pretreatment Standards as promulgated by EPA in 40 CFR 403 and 4XX;
6. Pursuant to 40 CFR 4XX, any (existing/new source - describe process) operation, discharging less/more than 10,000 gallons a day (413 only), must comply with the daily maximum and monthly/4-day (413 only) average discharge limits for (**list federally regulated parameters**) set forth in 40 CFR 4XX by the (Date, final compliance deadline/within 90 days of commencement of discharge);
7. Pursuant to 40 CFR 4XX, any (existing/new source - describe process) operation must also comply with the daily maximum discharge limit for **total toxic organics** set forth in 40 CFR 4XX by the (Date, final compliance deadline/within 90 days of commencement of discharge);
8. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8) prohibits the discharge of any material which will cause the City to violate its National Pollution Discharge Elimination System Permits, applicable Federal and State statutes, rules, or regulations;
9. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes it unlawful to introduce wastewater to the City's sewer system that exceeds listed specific pollutant limitations or other more restrictive limitations imposed by permit conditions or National Categorical Pretreatment Standards;
10. Pursuant to the City's Ordinance, Section 64.30.E.9.(c) makes it unlawful for any person to violate any provision of the City's Ordinance or any term or condition of any permit issued pursuant thereto; and
11. Pursuant to the City's Ordinance and above referenced permit, data has been routinely collected or submitted on the compliance status of **IU**.

FINDINGS OF VIOLATION

City records show that **IU** has violated its permit conditions and the City's Ordinance in the following manner:

1. **IU** has exceeded instantaneous maximum, daily maximum, and/or monthly/4-day(413 only) average discharge standards **number (#)** times for a total of **number (#)** days of violation, as shown below.

DISCHARGE LIMIT VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA-METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
	POTW-G				IM	1	XXXXXXXX
	POTW-C				DM	1	
	IU-G				DM	1	
	IU-C				MA	30	
4D	-	4-Day Average (Pretreatment Stds, 40 CFR 413)					
CPS	-	Average of Combined City and IU Results					
DM	-	Daily Maximum (Pretreatment Stds, 40 CFR 4XX)					
IM	-	Instantaneous Maximum (Local Limit, LAMC 64.30)					
IU-C	-	Composite Sample collected by IU					
IU-G	-	Grab Sample collected by IU					
MA	-	Monthly Average (Pretreatment Stds, 40 CFR 4XX)					
NOV#	-	Notice of Violation Number					
POTW-C	-	Composite Sample collected by the City					
POTW-G	-	Grab Sample collected by the City					

(Note: Abbreviations not used may be deleted from the order)

[Note: Use statement 2 only if applicable]

2. **IU** has violated reporting requirements, as shown below.

REPORTING VIOLATIONS

REPORTING PERIOD	DUE DATE	VIOLATION TYPE	NOV#
MONTH-MONTH YR	MONTH DAY, YR	FS	XXXXXXXX

DS	-	Delinquent Self-Monitoring Report
IS	-	Incomplete Self-Monitoring Report
FAO	-	Failure to Submit (Type of Admin. Order Report)
FES	-	Failure to Submit Enforcement Self-Monitoring Report
FPI	-	Failure to Submit Permitting Information
FPN	-	Failure to Pre-notify
FS	-	Failure to Submit Self-Monitoring Report
NOV#	-	Notice of Violation Number
(Note: Abbreviations not used may be deleted from the order)		

CEASE AND DESIST VIOLATIONS ORDER

THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION, IU IS HEREBY ORDERED TO:

1. MAINTAIN CONSISTENT COMPLIANCE

By 15/30 days from date of order, IU shall take all corrective actions necessary such that IU's discharge is in full and permanent compliance with all provisions of Industrial Wastewater Permit No. W-XXXXXX.

2. CONDUCT ADDITIONAL SELF-MONITORING

Once per week/Once every two weeks, beginning 15/30 days from date of order, for a period of two/four weeks, IU shall collect 24-hour composite samples of its discharge and analyze for (list all applicable federally and locally regulated parameters) and collect grab samples of its discharge and analyze for (list all applicable federally and locally regulated parameters).

- A. Grab samples for total toxic organics shall be analyzed for all reasonably expected constituents listed in Industrial Wastewater Permit No. W-XXXXXX. [Note: Use this statement only if TTO violations have occurred]
- B. All sample analyses shall be performed by an independent laboratory using EPA approved analytical methods and shall be representative of discharge to the sewer.
- C. All samples shall be taken from Sample Point XX, (description of the sample point).
- D. IU shall prenotify the SIU Inspection Group, at (323) 342-6200, 48 hours prior to any self-monitoring performed.
- E. All self-monitoring performed as required by this order shall be reported on IU's periodic self-monitoring report form.
- F. If results of any sample analysis indicate exceedances of discharge standards, IU shall notify the SIU Inspection Group, at (323) 342-6200, within 24 hours of becoming aware of the violation.

192 3. **SUBMIT REQUIRED INFORMATION AND REPORTS**

193
194 A. By **60-75 days from date of order**, **IU** shall submit all
195 self-monitoring results required by this order.

196
197
198 B. **IU** shall submit all self-monitoring reports, **including**
199 **periodic and enforcement self-monitoring reports**, to the
200 following address:

201
202 **City of Los Angeles/LA Sanitation and Environment**
203 **Industrial Waste Management Division**
204 **2714 Media Center Drive**
205 **Los Angeles, CA 90065**
206 **Attn: Information Systems Support Squad**
207

208 **IU'S RIGHTS AND RESPONSIBILITIES**

- 209
- 210 1. **IU** shall be responsible for all cost recovery charges assessed
- 211 due to sampling, testing, inspection, engineering, and
- 212 administrative enforcement actions conducted as a result of
- 213 this order.
- 214
- 215 2. Failure to comply with the terms of this order shall
- 216 constitute a further violation of the City's Ordinance and
- 217 may subject **IU** to civil or criminal penalties or such other
- 218 enforcement actions as may be appropriate.
- 219
- 220 3. Pursuant to the City's Ordinance, Section 64.30.E.3.(e), **IU**
- 221 has the right to have this matter heard before the Board of
- 222 Public Works. **IU** may file a request for a hearing by
- 223 contacting the Permitting and Enforcement Environmental
- 224 Engineer at (323) 342-6046. Filing of such a request will
- 225 not stay the terms of this order; however, it will provide **IU**
- 226 with the opportunity for a hearing before the Board. At the
- 227 conclusion of the hearing, the Board shall make a
- 228 determination whether to uphold or modify the terms of this
- 229 order, or the Board may take other enforcement actions as
- 230 deemed necessary.
- 231
- 232

233 **SIGNATORIES**

234

235 This order takes effect upon signature.

236

237

238 Signed: _____ Date: _____

239

240 [Manager Name], Division Manager

241 Industrial Waste Management Division

242 LA Sanitation and Environment

243 City of Los Angeles

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF TERMINATION OF ENFORCEMENT ACTION (CIU-DISCHARGE VIOLATIONS)

The corrective actions taken by **IU** and the subsequent compliance with discharge standards and other enforcement requirements have been duly noted by **LA Sanitation and Environment**. As a result, effective Date, **IU** is hereby notified of the termination of enforcement actions under Industrial Wastewater Permit No. W-XXXXXX and the return to routine status.

IU is no longer subject to the increased enforcement monitoring frequency. **IU**, however, must continue to self-monitor according to its periodic self-monitoring frequency, and maintain compliance with all permit conditions as stated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any further violations of Industrial Wastewater Permit No. W-XXXXXX will result in additional self-monitoring requirements and may also subject **IU** to escalated enforcement action, including permit suspension or revocation. In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

(Exhibit 3)

**Cease and Desist Violations Order
for
Discharge Violations**

**Non-Categorical Significant Industrial User
(NCSIU)**

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

ISSUANCE OF CEASE AND DESIST VIOLATIONS ORDER (NCSIU-DISCHARGE VIOLATIONS)

A review of **IU's** compliance history indicates continued violations of conditions contained in Industrial Wastewater Permit No. W-XXXXXX and Section 64.30 of the Los Angeles Municipal Code.

(Discuss IU's violations, NOV's issued and IU's response-if any)

In order to ensure that compliance with discharge standards is achieved, the attached Cease and Desist Violations Order is hereby issued to **IU**. The order requires **IU** to take all corrective actions necessary to achieve consistent and permanent compliance with all provisions of Industrial Wastewater Permit No. W-XXXXXX by Date. Additionally, to demonstrate full compliance, the order requires **IU** to conduct **(number) additional daily/weekly/bi-weekly** self-monitoring for (specify constituents to be monitored) from Date to Date and submit self-monitoring reports and documentation by **Date**.

Be aware that failure to achieve and maintain compliance with pretreatment standards and permit conditions and/or failure to comply with the requirements of this Cease and Desist Violations

Order will lead to escalated enforcement action and may result in permit suspension or revocation.

This case may also be referred to the City Attorney's Office for civil and/or criminal filing which could subject **IU** to civil penalties of up to \$25,000 a day for each violation. In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LA SANITATION AND ENVIRONMENT
INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name

IU Address

INDUSTRIAL USER NO. IUXXXXXX

INDUSTRIAL WASTEWATER

PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

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CEASE AND DESIST
VIOLATIONS ORDER

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, LA Sanitation and Environment, under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the LA Sanitation and Environment, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the LA Sanitation and Environment finds that IU is in violation of conditions contained in Industrial Wastewater Permit No. W-XXXXXX.

This finding is made on the basis of the following facts:

1. IU was issued Industrial Wastewater Permit No. W-XXXXXX on Date, which prohibits discharge of industrial waste in violation of the City's Ordinance or regulations of the Board of Public Works made pursuant thereto;
2. IU's Industrial Wastewater Permit No. W-XXXXXX was most recently amended/renewed on Date; (use if applicable)

3. **IU** is classified under Non-Categorical Significant Industrial User (NCSIU) Group SIXX with an average industrial wastewater flow of XXXXX gpd;
4. **IU** operates a facility involved in (process description) and discharges non-domestic wastewater containing pollutants to the sanitary sewer system of the City of Los Angeles;
5. **IU** is a "significant industrial user" as defined by Part 403.3(v)(1)(ii) of Title 40 of the Code of Federal Regulations (40 CFR);
6. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8) prohibits the discharge of any material which will cause the City to violate its National Pollution Discharge Elimination System Permits, applicable Federal and State statutes, rules, or regulations;
7. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes it unlawful to introduce wastewater to the City's sewer system that exceeds listed specific pollutant limitations or other more restrictive limitations imposed by permit conditions;
8. Pursuant to the City's Ordinance, Section 64.30.E.9.(c) makes it unlawful for any person to violate any provision of the City's Ordinance or any term or condition of any permit issued pursuant thereto; and
9. Pursuant to the City's Ordinance and above referenced permit, data has been routinely collected or submitted on the compliance status of **IU**.

80 **FINDINGS OF VIOLATION**

81
82 City records show that **IU** has violated its permit conditions and
83 the City's Ordinance in the following manner:
84
85

- 86 1. **IU** has exceeded instantaneous maximum discharge standards
87 **number (#)** times for a total of **number (#)** days of violation,
88 as shown below.
89
90

91 **DISCHARGE LIMIT VIOLATIONS**

SAMPLE DATE	SAMPLE TYPE	PARA- METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
	POTW-G				IM	1	
	POTW-C				DM	1	
	IU-G				DM	1	
	IU-C				MA	30	
4D	-	4-Day Average (Pretreatment Stds, 40 CFR 413)					
CPS	-	Average of Combined City and IU Results					
DM	-	Daily Maximum (Pretreatment Stds, 40 CFR 4XX)					
IM	-	Instantaneous Maximum (Local Limit, LAMC 64.30)					
IU-C	-	Composite Sample collected by IU					
IU-G	-	Grab Sample collected by IU					
MA	-	Monthly Average (Pretreatment Stds, 40 CFR 4XX)					
NOV#	-	Notice of Violation Number					
POTW-C	-	Composite Sample collected by the City					
POTW-G	-	Grab Sample collected by the City					
(Note: Abbreviations not used may be deleted from the order)							
[Use statement 2 only if applicable]							

- 114
115 2. **IU** has violated reporting requirements, as shown below.
116
117

118 **REPORTING VIOLATIONS**

REPORTING PERIOD	DUE DATE	VIOLATION TYPE	NOV#
MONTH-MONTH YR	MONTH DAY, YR	FS	XXXXXXXX
DS	-	Delinquent Self-Monitoring Report	
IS	-	Incomplete Self-Monitoring Report	
FAO	-	Failure to Submit (Type of Admin. Order Report)	
FES	-	Failure to Submit Enforcement Self-Monitoring Report	

129 FPI - Failure to Submit Permitting Information
130 FPN - Failure to Pre-notify
131 FS - Failure to Submit Self-Monitoring Report
132 NOV# - Notice of Violation Number
133 *(Note: Abbreviations not used may be deleted from the order)*

CEASE AND DESIST VIOLATIONS ORDER

THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION, IU IS HEREBY ORDERED TO:

1. MAINTAIN CONSISTENT COMPLIANCE

By **15-30 days from date of order**, IU shall take all corrective actions necessary such that IU's discharge is in full and permanent compliance with all provisions of Industrial Wastewater Permit No. **W-XXXXXX**.

2. CONDUCT ADDITIONAL SELF-MONITORING

Once per week/Once every two weeks, beginning **15/30** days from date of order, for a period of **two/four** weeks, IU shall collect grab sample(s) of its discharge and analyze for **(list all applicable locally regulated parameters)**.

A. All sample analyses shall be performed by an independent laboratory using EPA approved analytical methods and shall be representative of discharge to the sewer.

B. All samples shall be taken from Sample Point **XX**, (description of sampling point).

C. IU shall prenotify the SIU Inspection Group, at **(323) 342-6200**, 48 hours prior to any self-monitoring performed.

D. All self-monitoring performed as required by this order shall be reported on IU's periodic self-monitoring report form.

E. If results of any sample analysis indicate exceedences of discharge standards, IU shall notify the SIU Inspection Group, at **(323) 342-6200**, within 24 hours of becoming aware of the violation.

3. SUBMIT REQUIRED INFORMATION

A. By **60-75 days from date of order**, IU shall submit all self-monitoring results required by this order.

B. **IU** shall submit all self-monitoring reports, including
periodic and enforcement self-monitoring reports, to the
following address:

City of Los Angeles/LA Sanitation and Environment
Industrial Waste Management Division
2714 Media Center Drive
Los Angeles, CA 90065

Attn: Information Systems Support Squad

IU'S RIGHTS AND RESPONSIBILITIES

1. **IU** shall be responsible for all cost recovery charges assessed due to sampling, testing, inspection, engineering, and administrative enforcement actions conducted as a result of this order.
2. Failure to comply with the terms of this order shall constitute a further violation of the City's Ordinance and may subject **IU** to civil or criminal penalties or such other enforcement actions as may be appropriate.
3. Pursuant to the City's Ordinance, Section 64.30.E.3.(e), **IU** has the right to have this matter heard before the Board of Public Works. **IU** may file a request for a hearing by contacting the Permitting and Enforcement Environmental Engineer at (323) 342-6098. Filing of such a request will not stay the terms of this order; however, it will provide **IU** with the opportunity for a hearing before the Board. At the conclusion of the hearing, the Board shall make a determination whether to uphold or modify the terms of this order, or the Board may take other enforcement actions as deemed necessary.

SIGNATORIES

This order takes effect upon signature.

Signed: _____ Date: _____

[Manager Name], Division Manager
Industrial Waste Management Division
LA Sanitation and Environment
City of Los Angeles

Date

IU Name
IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX
Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF TERMINATION OF ENFORCEMENT ACTION (NCSIU DISCHARGE VIOLATIONS)

The corrective actions taken by IU and the subsequent compliance with discharge standards and other enforcement requirements have been duly noted by LA Sanitation and Environment. As a result, effective Date, IU is hereby notified of the termination of enforcement actions under Industrial Wastewater Permit No. W-XXXXXX and the return to routine status.

IU is no longer subject to the increased enforcement monitoring frequency. IU, however, must continue to self-monitor according to its periodic self-monitoring frequency, and maintain compliance with all permit conditions as stated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any further violations of Industrial Wastewater Permit No. W-XXXXXX will result in additional self-monitoring

requirements and may also subject **IU** to escalated enforcement action, including permit suspension or revocation.

In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

(Exhibit 3)

**Cease and Desist Violations Order
for
Discharge Violations**

Local Industrial User

(LIU)

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

ISSUANCE OF CEASE AND DESIST VIOLATIONS ORDER (LIU-DISCHARGE VIOLATIONS)

A review of **IU's** compliance history indicates continued violations of conditions contained in Industrial Wastewater Permit No. W-XXXXXX and Section 64.30 of the Los Angeles Municipal Code.

(Discuss IU's violations, NOV's issued, and IU's response-if any)

In order to ensure that compliance with discharge standards is achieved, the attached Cease and Desist Violations Order is hereby issued to **IU**. The order requires **IU** to take all corrective actions necessary to achieve consistent and permanent compliance with all provisions of Industrial Wastewater Permit No. W-XXXXXX by Date. Additionally, to demonstrate full compliance, the order requires **IU** to conduct **(number)** additional **daily/weekly/bi-weekly** self-monitoring for (specify constituents to be monitored) from Date to Date and submit self-monitoring reports and documentation by **Date**.

Be aware that failure to achieve and maintain compliance with pretreatment standards and permit conditions and/or failure to comply with the requirements of this Cease and Desist Violations Order will lead to escalated enforcement action and may result in

permit suspension or revocation.

This case may also be referred to the City Attorney's Office for civil and/or criminal filing which could subject **IU** to civil penalties of up to \$25,000 a day for each violation. In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LA SANITATION AND ENVIRONMENT
INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name

IU Address

INDUSTRIAL USER NO. IUXXXXXX

INDUSTRIAL WASTEWATER

PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

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**CEASE AND DESIST
VIOLATIONS ORDER**

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, LA Sanitation and Environment, under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the LA Sanitation and Environment, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the LA Sanitation and Environment finds that IU is in violation of conditions contained in Industrial Wastewater Permit No. W-XXXXXX.

This finding is made on the basis of the following facts:

1. IU was issued Industrial Wastewater Permit No. W-XXXXXX on Date, which prohibits discharge of industrial waste in violation of the City's Ordinance or regulations of the Board of Public Works made pursuant thereto;
2. IU is a Local Industrial User (LIU) with an average industrial wastewater flow of XXXX gpd;
3. IU operates a facility involved in (process description) and

discharges non-domestic wastewater containing pollutants to the sanitary sewer system of the City of Los Angeles;

4. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8) prohibits the discharge of any material which will cause the City to violate its National Pollution Discharge Elimination System Permits, applicable Federal and State statutes, rules, or regulations;
5. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes it unlawful to introduce wastewater to the City's sewer system that exceeds listed specific pollutant limitations or other more restrictive limitations imposed by permit conditions;
6. Pursuant to the City's Ordinance, Section 64.30.E.9.(c) makes it unlawful for any person to violate any provision of the City's Ordinance or any term or condition of any permit issued pursuant thereto; and
7. Pursuant to the City's Ordinance and above referenced permit, data has been routinely collected or submitted on the compliance status of **IU**.

FINDINGS OF VIOLATION

City records show that **IU** has violated its permit conditions and the City's Ordinance in the following manner:

IU has exceeded instantaneous maximum discharge standards **number (#)** times for a total of **number (#)** days of violation, as shown below.

DISCHARGE LIMIT VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA- METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
	POTW-G				IM	1	
	POTW-C				DM	1	
	IU-G				DM	1	
	IU-C				MA	30	

4D - 4-Day Average (Pretreatment Stds, 40 CFR 413)
CPS - Average of Combined City and IU Results
DM - Daily Maximum (Pretreatment Stds, 40 CFR 4XX)
IM - Instantaneous Maximum (Local Limit, LAMC 64.30)
IU-C - Composite Sample collected by IU
IU-G - Grab Sample collected by IU
MA - Monthly Average (Pretreatment Stds, 40 CFR 4XX)
NOV# - Notice of Violation Number
POTW-C - Composite Sample collected by the City
POTW-G - Grab Sample collected by the City
(Note: Abbreviations not used may be deleted from the order)

CEASE AND DESIST VIOLATIONS ORDER

THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION, IU IS HEREBY ORDERED TO:

1. MAINTAIN CONSISTENT COMPLIANCE

By 15-30 days from date of order, IU shall take all corrective actions necessary such that IU's discharge is in full and permanent compliance with all provisions of Industrial Wastewater Permit No. W-XXXXXX.

2. CONDUCT SELF-MONITORING

Once per week/Once every two weeks, beginning 15-30 days from date of order, for a period of two/four weeks, IU shall collect grab samples of its discharge and analyze for (list all applicable locally regulated parameters).

- A. All sample analyses shall be performed by an independent laboratory using EPA approved analytical methods and shall be representative of discharge to the sewer.
- B. All samples shall be taken from Sample Point XX, (description of sample point).
- C. IU shall prenotify Staff Engineer, at phone number, 48 hours prior to any self-monitoring performed.
- D. If results of any sample analysis indicate exceedences of discharge standards, IU shall notify Staff Engineer, at phone number, within 24 hours of becoming aware of the violation.

3. SUBMIT REQUIRED INFORMATION AND REPORTS

- A. By 60-75 days from date of order, IU shall submit laboratory reports of all self-monitoring results required by this order.
- C. Every submittal required by this Cease and Desist Order shall be sent to the following address:

139 *City of Los Angeles/LA Sanitation and Environment*
140 *Industrial Waste Management Division*
141 *2714 Media Center Drive*
142 *Los Angeles, CA 90065*
143
144 Attn: *Staff Engineer*

145 **IU'S RIGHTS AND RESPONSIBILITIES**

- 146
- 147
- 148 1. **IU** shall be responsible for all cost recovery charges assessed
- 149 due to sampling, testing, inspection, engineering, and
- 150 administrative enforcement actions conducted as a result of
- 151 this order.
- 152
- 153 2. Failure to comply with the terms of this order shall
- 154 constitute a further violation of the City's Ordinance and
- 155 may subject **IU** to civil or criminal penalties or such other
- 156 enforcement actions as may be appropriate.
- 157
- 158 3. Pursuant to the City's Ordinance, Section 64.30.E.3.(e), **IU**
- 159 has the right to have this matter heard before the Board of
- 160 Public Works. **IU** may file a request for a hearing by
- 161 contacting the Permitting and Enforcement Environmental
- 162 Engineer at (323) 342-6098. Filing of such a request will
- 163 not stay the terms of this order; however, it will provide **IU**
- 164 with the opportunity for a hearing before the Board. At the
- 165 conclusion of the hearing, the Board shall make a
- 166 determination whether to uphold or modify the terms of this
- 167 order, or the Board may take other enforcement actions as
- 168 deemed necessary.
- 169
- 170

171 **SIGNATORIES**

172

173 This order takes effect upon signature.

174

175

176 Signed: _____ Date: _____

177

178 [Manager Name], Division Manager

179 Industrial Waste Management Division

180 LA Sanitation and Environment

181 City of Los Angeles

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF TERMINATION OF ENFORCEMENT ACTION (LIU-DISCHARGE VIOLATIONS)

The corrective actions taken by IU and the subsequent compliance with discharge standards and other enforcement requirements have been duly noted by LA Sanitation and Environment. As a result, effective Date, IU is hereby notified of the termination of enforcement actions under Industrial Wastewater Permit No. W-XXXXXX and the return to routine status.

IU is no longer subject to the enforcement monitoring. IU, however, must maintain compliance with all conditions as stated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any further violations of Industrial Wastewater Permit No. W-XXXXXX will result in additional self-monitoring requirements and may also subject IU to escalated enforcement action, including permit suspension or revocation. Further violations of Industrial Wastewater Permit No. W-XXXXXX may subject IU to increased inspection frequency, and consequently higher inspection and control fees.

In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

(Exhibit 3)

**Cease and Desist Violations Order
for
Self-Monitoring Reporting/Discharge Violations**

(SMR)

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

ISSUANCE OF CEASE AND DESIST VIOLATIONS ORDER (SMR/DISCHARGE VIOLATIONS)

A review of IU's compliance history indicates violations of conditions contained in Industrial Wastewater Permit No. W-XXXXXX and Section 64.30 of the Los Angeles Municipal Code.

IU has failed to conduct required self-monitoring of its industrial wastewater discharge for the (period of violation) monitoring period(s) and submit the report(s) by the Date deadline as stated in Industrial Wastewater Permit No. W-XXXXXX. IU also has exceeded discharge limits for (specify constituents) during sampling conducted by the City and/or IU on Date. (Use this statement if IU had discharge violations) As a result, the attached Cease and Desist Violations Order is hereby issued to IU.

The order requires IU to perform (number) additional self-monitoring during the month of Month Year and submit the report by Date. Additionally, the order requires IU to take all necessary corrective actions and achieve consistent compliance with discharge standards specified in Industrial Wastewater Permit No. W-XXXXXX. (Use this statement if IU had discharge violations)

Please note that this additional self-monitoring is required as a result of non-submittal of the self-monitoring report for (period of violation) monitoring period and does not constitute any other periodic self-monitoring as required by Industrial Wastewater Permit No. W-XXXXXX.

Be aware that failure to maintain compliance with permit conditions and/or failure to comply with the requirements of this Cease and Desist Violations Order will lead to escalated enforcement action and may result in permit suspension or revocation. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject **IU** to civil penalties of up to \$25,000 a day for each violation. In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LA SANITATION AND ENVIRONMENT
INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name

IU Address

INDUSTRIAL USER NO. IUXXXXXX

INDUSTRIAL WASTEWATER

PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

CEASE AND DESIST
VIOLATIONS ORDER

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, LA Sanitation and Environment, under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the LA Sanitation and Environment, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the LA Sanitation and Environment finds that IU is in violation of conditions contained in Industrial Wastewater Permit No. W-XXXXXX.

This finding is made on the basis of the following facts:

1. IU was issued Industrial Wastewater Permit No. W-XXXXXX on Date, which specifies discharge limitations, reporting requirements, and other conditions pursuant to Section 64.30 of the City's Ordinance;
2. IU's Industrial Wastewater Permit No. W-XXXXXX was most recently amended/renewed on Date;
3. IU is classified under Categorical Industrial User (CIU)/Non-Categorical Significant Industrial User (NCSIU) Group SIXX

- with an average industrial wastewater discharge of XXXX gpd;
(Use IU classification as appropriate)
4. **IU** operates a facility involved in (process description) and discharges non-domestic wastewater containing pollutants to the sanitary sewer system of the City of Los Angeles;
 5. **IU** is a "significant industrial user" as defined by Part 403.3(v)(1)(i)/(ii) (use (ii) if IU is NCSIU) of Title 40 of the Code of Federal Regulations (40 CFR), and is subject to general pretreatment standards and National Categorical Pretreatment Standards as promulgated by EPA in 40 CFR 403, and 4XX; (only use highlighted portion and two sections below if IU is categorical)
 6. Pursuant to 40 CFR 4XX, any (existing/new source - describe process) operation, discharging less/more than 10,000 gallons a day (413 only), must comply with the daily maximum and monthly/4-day (413 only) average discharge limits for (**list federally regulated parameters**) set forth in 40 CFR 4XX by the (Date, final compliance deadline/within 90 days of commencement of discharge);
 7. Pursuant to 40 CFR 4XX, any (existing/new source - describe process) operation must also comply with the daily maximum discharge limit for **total toxic organics** set forth in 40 CFR 4XX by the (Date, final compliance deadline/within 90 days of commencement of discharge);
 8. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8) prohibits the discharge of any material which will cause the City to violate its National Pollutant Discharge Elimination System Permits, applicable Federal and State statutes, rules, or regulations;
 9. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes it unlawful to introduce wastewater to the City's sewer system that exceeds listed specific pollutant limitations or other more restrictive limitations imposed by permit conditions or National Categorical Pretreatment Standards;
(use if IU is categorical)
 10. Pursuant to the City's Ordinance, Section 64.30.E.9.(c) makes it unlawful for any person to violate any provision of the City's Ordinance or any term or condition of any permit issued pursuant thereto;
 11. Pursuant to the City's Ordinance, Section 64.30.C.2.(b) or (c) provides the Director authority to require submittal of

98 technical reports or discharge reports. As such, Industrial
99 Wastewater Permit No. **W-XXXXXX** requires **IU** to self-monitor
100 for all **federally and/or locally** regulated parameters on a
101 (frequency) basis and **surcharge** parameters on a (frequency),
102 and submit self-monitoring reports (SMRs) to the LA
103 Sanitation and Environment; and
104 *(Use required self-monitoring as appropriate)*
105

- 106 12. Pursuant to the City's Ordinance and above referenced permit,
107 data has been routinely collected and submitted on the
108 compliance status of **IU**.
109

FINDINGS OF VIOLATION

City records show that **IU** has violated its permit conditions and the City's Ordinance in the following manner:

1. **IU** has violated reporting requirements as shown below.

REPORTING VIOLATIONS

REPORTING PERIOD	DUE DATE	VIOLATION TYPE	NOV#
MONTH-MONTH YR	MONTH DAY, YR	FS	XXXXXXXX

DS - Delinquent Self-Monitoring Report
IS - Incomplete Self-Monitoring Report
FAO - Failure to Submit (Type of Admin. Order Report)
FES - Failure to Submit Enforcement Self-Monitoring Report
FPI - Failure to Submit Permitting Information
FPN - Failure to Pre-notify
FS - Failure to Submit Self-Monitoring Report
NOV# - Notice of Violation Number
(Note: Abbreviations not used may be deleted from the order)

2. **IU** has exceeded criteria for significant non-compliance as defined in 40 CFR 403.8(f) (2) (vii). Specifically, **IU** exceeded, by more than thirty (30) days, the final deadline for submittal of self-monitoring reports.

3. **IU** also has exceeded specific pollutant limitations for instantaneous maximum, daily maximum, and/or monthly/4-day (413 only) average discharge standards **number (#)** times for a total of **number (#)** days of violation, as shown below.

DISCHARGE LIMITS VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA-METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
	POTW-G				IM	1	
	POTW-C				DM	1	
	IU-G				DM	1	
	IU-C				MA	30	
4D	-	4-Day Average (Pretreatment Stds, 40 CFR 413)					

152 CPS - Average of Combined City and IU Results
153 DM - Daily Maximum (Pretreatment Stds, 40 CFR 4XX)
154 IM - Instantaneous Maximum (Local Limit, LAMC 64.30)
155 IU-C - Composite Sample collected by IU
156 IU-G - Grab Sample collected by IU
157 MA - Monthly Average (Pretreatment Stds, 40 CFR 4XX)
158 NOV# - Notice of Violation Number
159 POTW-C - Composite Sample collected by the City
160 POTW-G - Grab Sample collected by the City
161 (Note: Use statement 3 if applicable)

CEASE AND DESIST VIOLATIONS ORDER

THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION, IU IS HEREBY ORDERED TO:

1. MAINTAIN CONSISTENT COMPLIANCE

A. IU shall abide by all reporting conditions of Industrial Wastewater Permit No. W-XXXXXX. These conditions include the following:

- a. Submitting Self-Monitoring Reports (SMRs) by the due date as specified in the permit;
- b. Prenotifying Industrial Waste Management Division at least forty-eight (48) hours prior to sampling;
- c. Sampling for all regulated constituents; and
- d. Providing all required information.

B. IU shall take all corrective actions necessary to achieve consistent compliance with discharge standards specified in Industrial Wastewater Permit No. W-XXXXXX. (Use this statement if IU also had discharge violations)

2. CONDUCT ADDITIONAL SELF-MONITORING

IU shall perform (number) additional self-monitoring during the month of Month Year. The **additional** self-monitoring event(s) shall include analysis for all **(federally and locally regulated and/or surcharge)** constituents specified in Industrial Wastewater Permit No. W-XXXXXX.

Please be aware that this **additional** self-monitoring is required as a result of non-submittal of self-monitoring report(s) for (period of violation) and does not constitute any other periodic self-monitoring as required by Industrial Wastewater Permit No. W-XXXXXX.

A. All sample analyses shall be performed by an independent laboratory using EPA approved analytical methods and shall be representative of discharge to the sewer.

B. All samples shall be taken from Sample Point XX, (description of sample point).

C. IU shall prenotify the SIU Inspection Group, at **(323) 342-6200**, 48 hours prior to any self-monitoring

performed.

- D. All self-monitoring performed as required by this order shall be reported on **IU's** periodic self-monitoring report form. **IU** shall label "**ENFORCEMENT SMR**" the first page of the self-monitoring report form for this additional monitoring.
- E. If results of any sample analysis indicate exceedences of discharge standards, **IU** shall notify the SIU Inspection Group, at (323) 342-6200, within 24 hours of becoming aware of the violation.

3. **SUBMIT REQUIRED INFORMATION**

- A. By **45 days from date of order**, **IU** shall submit all self-monitoring results required by this order.
- B. Every submittal, **including enforcement and periodic self-monitoring reports**, shall be sent to the following address:

***City of Los Angeles/LA Sanitation and Environment
Industrial Waste Management Division
2714 Media Center Drive
Los Angeles, CA 90065***

Attn: Information Systems Support Squad

237 **IU'S RIGHTS AND RESPONSIBILITIES**

- 238
- 239
- 240 1. **IU** shall be responsible for all cost recovery charges assessed
- 241 due to sampling, testing, inspection, engineering, and
- 242 administrative enforcement actions conducted as a result of
- 243 this order.
- 244
- 245 2. Failure to comply with the terms of this order shall
- 246 constitute a further violation of the City's Ordinance and
- 247 may subject **IU** to civil or criminal penalties or such other
- 248 enforcement actions as may be appropriate.
- 249
- 250 3. Pursuant to the City's Ordinance Section 64.30.E.3. (e), **IU**
- 251 has the right to have this matter heard before the Board of
- 252 Public Works. **IU** may file a request for a hearing by
- 253 contacting the Permitting and Enforcement Environmental
- 254 Engineer at (323) 342-6098. Filing of such a request will
- 255 not stay the terms of this order; however, it will provide **IU**
- 256 with the opportunity for a hearing before the Board. At the
- 257 conclusion of the hearing, the Board shall make a
- 258 determination whether to uphold or modify the terms of this
- 259 order, or the Board may take other enforcement actions as
- 260 deemed necessary.
- 261
- 262
- 263

264 **SIGNATORIES**

265

266 This order takes effect upon signature.

267

268

269 Signed: _____ Date: _____

270

271 [Manager Name], Division Manager

272 Industrial Waste Management Division

273 LA Sanitation and Environment

274 City of Los Angeles

275

Date

IU Name
IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX
Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF TERMINATION OF ENFORCEMENT ACTION (SMR/DISCHARGE VIOLATIONS)

IU has submitted the additional self-monitoring report(s) required by the Cease and Desist Order issued on Date. Compliance with the enforcement requirements and discharge standards has been duly noted by LA Sanitation and Environment. As a result, effective Date, IU is hereby notified of the termination of enforcement actions under Industrial Wastewater Permit No. W-XXXXXX and the return to routine status.

IU is no longer subject to the increased enforcement monitoring frequency. IU, however, must continue to self-monitor according to its standard self-monitoring frequency, and maintain compliance with all permit conditions as stated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any further violations of Industrial Wastewater Permit No. W-XXXXXX will result in additional self-monitoring requirements and may also subject IU to escalated enforcement

action, including permit suspension or revocation.

In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

(Exhibit 3)

**Cease and Desist Discharge Order
for
Illegal Harmful Discharge**

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. **NONE**

Industrial Wastewater Permit No. **NONE**

Case No. XXXXXX

**ISSUANCE OF CEASE AND DESIST DISCHARGE ORDER (ILLEGAL HARMFUL
DISCHARGE WITHOUT INDUSTRIAL WASTEWATER PERMIT)**

(Use statements below as appropriate and applicable)

Continuous monitoring of the wastewater collection system within the City's Treatment Plant tributary area and the plant influent conducted by City of Los Angeles personnel has revealed that **IU** was the major discharger of constituents to the sewer system.

An inspection of **IU** conducted by the City of Los Angeles, **LA Sanitation and Environment**, Industrial Waste Management Division staff on Date indicated that **IU** was operating a facility involved in process description and discharging process wastewater to the City's sewer system without an Industrial Wastewater Permit.

High levels of constituents in **IU's** effluent caused/has the potential to cause the City's Treatment Plant plant to violate its NPDES Permit discharge limit(s) for constituents and/or regulatory limitations for (discuss specifics) on Date.

From Date to Date, City of Los Angeles conducted wastewater discharge monitoring at maintenance holes located immediately up-

stream and down-stream of Location/Street Address. Samples taken during this monitoring indicated high concentrations of (list constituents) exceeding discharge limitations contained in Section 64.30.B.2 of the Los Angeles Municipal Code (LAMC).

In addition, the pollutants concentrations of these samples have also exceeded the hazardous and health and safety limitations set by California Code of Regulations under Title 22.

(Note: Use this statement if applicable)

Test results of samples taken by the City indicated that pollutants found in the samples had waste profile consistent to chemicals used in **IU's** operations and processes.

On Date, during the U.S. EPA Strike Force/Los Angeles County District Attorney Environmental Crimes Strike Force search warrant,

Industrial Waste Management Division (IWMD) of the LA Sanitation and Environment, City of Los Angeles conducted an inspection of **IU**. This inspection revealed that **IU** has been discharging process wastewater to the sewer system of the City of Los Angeles, without an Industrial Wastewater Permit. Furthermore, **IU** has been improperly utilizing its sanitary sewer connection for discharge of industrial wastewater. Therefore, **IU** has violated Section 64.30.C.1.(a) of the City's Ordinance.

Based upon the above findings, on Date, **IU** was issued Notice of Violation No. XXXXXXXX for violating Section 64.30.C.1.(a) of the City's Ordinance, discharging process wastewater without an Industrial Wastewater Permit. Also, on Date, **IU** was provided with a copy of permit application and required to apply for an Industrial Wastewater Permit.

(Use above statements whichever applicable)

Based upon the above facts and findings, and pursuant to Sections 64.30.B.1.(a)(6), 64.30.B.1.(a)(8), 64.30.C.1.(a), 64.30.E.5, and 64.30.E.9 of the City's Ordinance, the attached Cease and Desist Discharge Order is hereby issued to **IU**, requiring that **IU** immediately cease all further industrial wastewater discharges to the City's sewer system.

(Note: Use LAMC Section(s) whichever applicable)

As specified in the Order, **IU** is required to submit a notice of discharge cessation by Date.

The order also requires **IU** to submit the completed Permit Application (copy enclosed) and the application fee of \$616.00, by Date. (Note: Use this statement if applicable)

IU is also required to attend a Compliance Meeting with **LA Sanitation and Environment**, Industrial Waste Management Division (IWMD) staff.

The meeting will be held on (Day), Date, at (time) in the Industrial Waste Management Division headquarters, located at **2714 Media Center Drive, Los Angeles CA**. The meeting must be attended by **IU** management and operations staff. **IU** should be prepared to discuss the cause of violation and corrective actions taken or proposed.

Industrial wastewater discharge privileges may be granted only upon issuance of an Industrial Wastewater Permit and submittal of a Notice of Compliance and report documenting additional corrective actions taken by **IU** that full and permanent compliance with City's Ordinance will be maintained. (Note: Use this statement if appropriate)

Failure to comply with the requirements of this **Cease and Desist Discharge Order** will lead to escalated enforcement action such as severance and sealing of the sewer connection and/or termination of water service. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject **IU** to civil penalties of up to \$25,000 a day for each violation. In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LA SANITATION AND ENVIRONMENT
INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name

IU Address

INDUSTRIAL USER NO. NONE

INDUSTRIAL WASTEWATER
PERMIT NO. NONE

CASE NO. XXXXXX

*
*
*
*
*
*
*
*
*

CEASE AND DESIST
DISCHARGE
ORDER

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, LA Sanitation and Environment, under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the LA Sanitation and Environment, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the LA Sanitation and Environment finds that IU is in violation of the conditions contained in Section(s) 64.30.C.1.(a) and 64.30.B.1.(X) of the City's Ordinance.

(Include all applicable LAMC Sections)

This finding is made on the basis of the following facts:

1. IU operates a facility involved in (process description) and discharges non-domestic wastewater containing pollutants to the sanitary sewer system of the City of Los Angeles;
2. The operations performed at IU, will subject IU and its discharge to general pretreatment standards and National Categorical Pretreatment Standards as promulgated by EPA in

40 CFR 403 and 4XX;

(Use this statement if applicable)

3. Pursuant to the City's Ordinance, Section 64.30.C.1.(a), no person shall discharge industrial wastewater to the sanitary sewer system of the City of Los Angeles without permission as provided in an Industrial Wastewater Permit;
4. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes it unlawful to introduce wastewater to the City's sewer system that exceeds listed specific pollutant limitations or other more restrictive limitations imposed by permit conditions or National Categorical Pretreatment Standards;
5. Pursuant to the City's Ordinance, Section 64.30.B.1.(2) prohibits discharge of any liquids, solids or gases which by reason of their nature or quantity are flammable, reactive, corrosive, or by interaction with other materials could result in fire, explosion or injury;
6. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(6) prohibits discharge of any material of sufficient quantity to interfere with any P.O.T.W. treatment plant process or to render any product thereof unsuitable for reclamation and reuse;
7. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8), no person shall discharge to the P.O.T.W. any material which will cause the City to violate its NPDES Permit, applicable Federal and State statutes, rules or regulations;
8. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(7) prohibits discharge of any material in sufficient quantity to cause the P.O.T.W. to be in noncompliance with the biosolids use or disposal criteria, guidelines or regulations in connection with Section 405 of the Act, the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substance Control Act, the Marine Protection Research and Sanctuaries Act, or State criteria (including those contained in any state sludge management plan prepared pursuant to Title II of SWDA) applicable to the biosolids management method being used;
9. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(14) prohibits discharge of any wastewater which constitutes a hazard or causes injury to human, animal, plant or fish life or creates a public nuisance.
10. Pursuant to the City's Ordinance, Section 64.30.E.9.(c) makes it unlawful for any person to violate any provision of the City's Ordinance;

98 11. On Date, **IU** was issued Notice of Violation No. XXXXXXXX for
99 violating Section 64.30.C.1.(a) of the City's Ordinance,
100 discharging industrial/process wastewater to the sewer system
101 without an Industrial Wastewater Permit.
102 *(Statements not applicable may be deleted from the order)*

FINDINGS OF VIOLATION

City records show that **IU** violated the City's Ordinance in the following manner:

1. **IU** is operating a facility involved in (process description) and discharges non-domestic wastewater containing pollutants, mainly constituents, to the sanitary sewer system of the City of Los Angeles without an Industrial Wastewater Permit;
2. On Date, City's Treatment Plant reported receiving high levels of constituents at the plant influent/exceedances of its NPDES Permit discharge limitations for constituents on Dates/ interference in treatment plant process as a result of high concentrations of constituents received at the plant influent;
(Describe plant problem or use whichever applicable);
3. Continuous monitoring of the wastewater collection system within the City's Treatment Plant tributary area and the plant influent conducted by the City revealed that **IU** was the major discharger of constituent to the sewer system, which contributed to high levels of constituents at the City's Treatment Plant influent;
4. On Date, City personnel conducted an inspection of **IU** facility, which indicated that **IU** was discharging its process wastewater to the sewer system without any and/or adequate pretreatment to effectively control or reduce constituents in the discharge;
5. Continuous monitoring conducted by the City from Date to Date at maintenance holes located immediately up-stream and down-stream of location/street address, which receives discharges from **IU**, indicated high concentrations of constituents;
6. Monitoring conducted by the City and the test results indicated that pollutants found in the samples taken at maintenance hole down-stream of location/street address had waste profile consistent to operations and processes applied by **IU**;
7. **IU** has discharged process wastewater which exceeded listed specific pollutants limitations set by Los

Angeles Municipal Code (LAMC), Section 64.30.B.2.(a) and
Hazardous Waste and Health and Safety limitations set by
California Code of Regulations under Title 22;
(Note: Use statements as applicable)

8. Results of monitoring conducted by the City are summarized in the following table. The data indicates highest levels of pollutants for each day obtained by samples taken during Date to Date monitoring period:

POLLUTANT CONCENTRATIONS (mg/l)						
SAMPLE DATE	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX
XXXXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX
XXXXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX
XXXXXX	XXXX	XXXX	XXXX	XXXX	XXXX	XXXX
LAMC						
Inst.Max						
Limits:	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx
Title 22						
STLC*	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx

* Title 22 STLC = Soluble Threshold Limit Concentration

182 **CEASE AND DESIST DISCHARGE**
183 **ORDER**
184

185 **THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION, IU**
186 **IS HEREBY ORDERED TO:**
187

188 **1. CEASE AND DESIST DISCHARGE OF INDUSTRIAL WASTEWATER**
189

190 **Effective immediately, IU** shall cease and desist from all
191 further discharge of industrial/process wastewater to the
192 City's sewer system.
193

194 **2. SUBMIT REQUIRED INFORMATION**
195

196 A. By **three days from date of order, IU** shall submit a
197 notice indicating cessation of discharge of industrial
198 wastewater into the City's sewer system and actions
199 taken to achieve compliance with item 1 of this order.
200

201 B. The required notice shall be signed by an executive
202 officer of **IU** and shall include the following statement:
203

204 **I certify under penalty of law that the above statement is true and**
205 **that all industrial wastewater discharge to the City of Los Angeles**
206 **sewer system has ceased. I am aware that there are significant**
207 **penalties for submitting false information, including the**
208 **possibility of fine and imprisonment for knowing violations.**
209

210 C. The required notice shall be sent to the following
211 address:
212

213 **City of Los Angeles/LA Sanitation and Environment**
214 **Industrial Waste Management Division**
215 **2714 Media Center Drive**
216 **Los Angeles, CA 90065**
217

218 **Attn: Staff Engineer**
219

220 D. By **Date, IU** shall submit a completed Industrial
221 Wastewater Permit Application with the required
222 application fee of **\$616.00** to the following address:
223

224 **City of Los Angeles/LA Sanitation and Environment**
225 **Industrial Waste Management Division**
226 **2714 Media Center Drive**
227 **Los Angeles, CA 90065**
228

229 **Attn: Inspection Section**

IU'S RIGHTS AND RESPONSIBILITIES

1. **IU** shall be responsible for all cost recovery charges assessed due to sampling, testing, inspection, engineering, and administrative enforcement actions conducted as a result of this order.
2. This order requires immediate cessation of all industrial wastewater discharges by **IU** to the City's sewer system. The City of Los Angeles reserves the right to seek any and all remedies available to it, under subsections D and E of Section 64.30 of the City's Ordinance for any violations cited by, or subsequent to this order.
3. Failure to comply with the terms of this order shall constitute a further violation of the City's Ordinance and may subject **IU** to civil or criminal penalties or such other enforcement actions as may be appropriate.
4. Pursuant to the City's Ordinance, Section 64.30.E.3.(e), **IU** has the right to have this matter heard before the Board of Public Works. **IU** may file a request for a hearing, by contacting the Permitting and Enforcement Environmental Engineer at (323) 342-6046. Filing of such a request will not stay the terms of this order; however, it will provide **IU** with the opportunity for a hearing before the Board. At the conclusion of the hearing, the Board shall make a determination whether to uphold or modify the terms of this order or the Board may take other enforcement actions as deemed necessary.

SIGNATORIES

This order takes effect upon signature.

Signed: _____ Date: _____

[Manager Name], Division Manager
Industrial Waste Management Division
LA Sanitation and Environment
City of Los Angeles

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

**NOTICE OF TERMINATION OF ENFORCEMENT ACTION (ILLEGAL HARMFUL
DISCHARGE WITHOUT INDUSTRIAL WASTEWATER PERMIT)**

On Date, **IU** was issued a Cease and Desist Discharge Order for discharging harmful industrial/process wastewater to the City of Los Angeles sewer system without an industrial wastewater permit. The order required **IU** to immediately cease all further industrial/process wastewater discharges to the sewer system and submit a notice of cessation of process water discharges to the sewer. Additionally, the order required **IU** to submit an Industrial Wastewater Discharge Permit application with applicable fee by **Date**.

On Date, **IU** submitted a notice declaring cessation of all **IU's** industrial wastewater discharges to the sewer system as of Date.
(Use the following four paragraphs if IU applies and is issued an Industrial Wastewater Permit)

On Date, **IU** submitted the completed Permit application and the application fee required by the Cease and Desist Order.

On Date, City of Los Angeles, Industrial Waste Management Division, issued an Industrial Wastewater Permit No. W-XXXXXX to **IU**.

As a result, effective Date, **IU** is hereby notified of the termination of enforcement actions imposed by the Cease and Desist Order. **IU**, however, must maintain compliance with all conditions

as stipulated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any violations of Industrial Wastewater Permit No. W-XXXXXX may also subject **IU** to escalated enforcement action, including permit revocation. In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

(Use the following two paragraphs if IU elects to become a Zero-Discharge)

In lieu of obtaining an Industrial Wastewater Discharge Permit, **IU** has elected to permanently severe and seal its industrial wastewater discharge connection to the City sewer. **IU** has submitted copies of the permit for demolition/capping of its clarifier and/or industrial sewer connection and certificate/approval for completion of the work issued by the City of Los Angeles, Department of Building and Safety and other such documentation required by Industrial Waste Management Division to ensure that **IU** is no longer capable of discharging industrial wastewater to the City sewer.

Be aware that any violations of zero-discharge requirements and/or discharge of industrial/process wastewater to the Sewer system, without a valid Industrial Wastewater Permit will subject **IU** to escalated enforcement action such as severance and sealing of the sewer connection and/or termination of water service. In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.13, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of said violations.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

(Exhibit 3)

**Cease and Desist Order
for
Illegal No Harm Discharge**

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. NONE

Industrial Wastewater Permit No. NONE

Case No. XXXXXX

**ISSUANCE OF CEASE AND DESIST ORDER (ILLEGAL NO HARM DISCHARGE
WITHOUT INDUSTRIAL WASTEWATER PERMIT)**

An inspection of IU by the City of Los Angeles, LA Sanitation and Environment, Industrial Waste Management Division staff on Date indicated that IU was operating and discharging industrial/process wastewater to the City's sewer system without an Industrial Wastewater Permit.

As a result, on Date, IU was issued Notice of Violation No. XXXXXXXX for violating Section 64.30.C.1.(a) of the City's Ordinance, discharging process wastewater without an Industrial Wastewater Permit. Also, on Date, IU was provided with a copy of permit application and required to apply for an Industrial Wastewater Permit by Date.

IU has failed to submit the completed Permit Application by the Date deadline. As a result and pursuant to Section 64.30.C.1.(a) of the City's Ordinance, the attached Cease and Desist Order is hereby issued to IU. The order requires IU to submit the completed Permit Application (copy enclosed) and the application fee of \$616.00 by Date.

Failure to comply with the requirements of this Cease and Desist

Order will lead to escalated enforcement action such as severance and sealing of the sewer connection and/or termination of water service. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject **IU** to civil penalties of up to \$25,000 a day for each violation. In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LA SANITATION AND ENVIRONMENT
INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name

IU Address

INDUSTRIAL USER NO. NONE

INDUSTRIAL WASTEWATER

PERMIT NO. NONE

CASE NO. XXXXXX

*
*
*
*
*
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*
*

CEASE AND DESIST
ORDER

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, LA Sanitation and Environment, under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the LA Sanitation and Environment, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the LA Sanitation and Environment finds that IU is in violation of Section 64.30.C.1.(a) of the City's Ordinance.

This finding is made on the basis of the following facts:

1. IU operates a facility involved in (process description) and discharges non-domestic wastewater containing pollutants to the sanitary sewer system of the City of Los Angeles;
2. Pursuant to the City's Ordinance, Section 64.30.C.1.(a), no person shall discharge industrial wastewater to the sanitary sewer system of the City of Los Angeles without permission as provided in an Industrial Wastewater Permit;

- 49 3. Pursuant to the City's Ordinance, Section 64.30.D.2, the
50 Board shall require payment of an initial fee of \$616.00 for
51 each application for an Industrial Wastewater Permit. No
52 permit shall be deemed valid until the initial fee has been
53 duly paid and received by the City;
54
- 55 4. On Date, **IU** was inspected by the City of Los Angeles,
56 Industrial Waste Management Division staff and was provided
57 with a copy of permit application for an Industrial Wastewater
58 Permit. **IU** was required to submit the completed permit
59 application and the initial fee by Date;
60
- 61 5. On Date, **IU** was inspected/revisited by the City staff and was
62 issued Notice of Violation No. XXXXXXXX for discharging
63 process wastewater to the City's sewer system without an
64 Industrial Wastewater Permit and failure to submit Permit
65 Application by the (Date) deadline;
66
- 67 6. Pursuant to the City's Ordinance, Section 64.30.E.9.(c) makes
68 it unlawful for any person to violate any provision of the
69 City's Ordinance.
70
- 71 (Note: Statements not applicable may be deleted from the order)

72 **FINDINGS OF VIOLATION**

73
74 City records show that **IU** violated the City's Ordinance in the
75 following manner:

- 76
77 1. **IU** is operating/continues to operate a facility involved
78 in (process description) and discharges non-domestic
79 wastewater containing pollutants to the sanitary sewer
80 system of the City of Los Angeles without an Industrial
81 Wastewater Permit.
82
83 2. **IU** has failed to submit a completed Industrial
84 Wastewater Permit application with the required
85 application fee by the Date deadline required by the
86 Notice of Violation No. XXXXXXXXX issued to **IU** on Date
87 for violating Section 64.30.C.1.(a) of the City's
88 Ordinance, discharging industrial wastewater without an
89 Industrial Wastewater Permit.

90 **CEASE AND DESIST ORDER**

91
92 THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION, IU
93 IS HEREBY ORDERED TO:

94
95
96 1. **SUBMIT PERMIT APPLICATION AND APPLICATION FEE**

97
98 By **Date**, IU shall submit a completed Industrial Wastewater
99 Permit application with the required application fee of
100 **\$616.00** to the following address:

101
102 ***City of Los Angeles/LA Sanitation and Environment***
103 ***Industrial Waste Management Division***
104 ***2714 Media Center Drive***
105 ***Los Angeles, CA 90065***

106
107 Attn: ***Inspection Section***
108

109 **IU'S RIGHTS AND RESPONSIBILITIES**

- 110
- 111
- 112 1. **IU** shall be responsible for all cost recovery charges assessed
- 113 due to sampling, testing, inspection, engineering, and
- 114 administrative enforcement actions conducted as a result of
- 115 this order.
- 116
- 117 2. Failure to comply with the terms of this order shall
- 118 constitute a further violation of the City's Ordinance and
- 119 may subject **IU** to civil or criminal penalties or such other
- 120 enforcement actions as may be appropriate.
- 121
- 122 3. Pursuant to the City's Ordinance, Section 64.30.E.3.(e), **IU**
- 123 has the right to have this matter heard before the Board of
- 124 Public Works. **IU** may file a request for a hearing, by
- 125 contacting the Permitting and Enforcement Environmental
- 126 Engineer at (323) 342-6046. Filing of such a request will
- 127 not stay the terms of this order; however, it will provide **IU**
- 128 with the opportunity for a hearing before the Board. At the
- 129 conclusion of the hearing, the Board shall make a
- 130 determination whether to uphold or modify the terms of this
- 131 order or the Board may take other enforcement actions as
- 132 deemed necessary.
- 133
- 134

135 **SIGNATORIES**

136

137 This order takes effect upon signature.

138

139

140 Signed: _____ Date: _____

141

142 [Manager Name], Division Manager

143 Industrial Waste Management Division

144 LA Sanitation and Environment

145 City of Los Angeles

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

**NOTICE OF TERMINATION OF ENFORCEMENT ACTION (ILLEGAL NO HARM
DISCHARGE WITHOUT INDUSTRIAL WASTEWATER PERMIT)**

On Date, IU was issued a Cease and Desist Order for discharging industrial wastewater to the City of Los Angeles sewer system without an industrial wastewater permit. The order required IU to submit a Permit Application with application fee by Date.

On Date, IU submitted the completed permit application and the application fee required by the Cease and Desist Order.

On Date, IU was issued Industrial Wastewater Permit No. W-XXXXXX.

As a result, effective Date, IU is hereby notified of the termination of enforcement actions imposed by the Cease and Desist Order. IU, however, must maintain compliance with all conditions as stipulated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any violations of Industrial Wastewater Permit No. W-XXXXXX may also subject **IU** to escalated enforcement action, including permit revocation.

In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact staff engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

EXHIBIT 4

CONSENT ORDER DOCUMENTS

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

ISSUANCE OF CONSENT ORDER FOR REVIEW AND SIGNATURE

A Compliance Meeting was held on Date with IU and IA Sanitation and Environment, Industrial Waste Management Division staff. At this meeting, IU's compliance history and the violations of conditions contained in Industrial Wastewater Permit No. W-XXXXXX was discussed.

(Discuss briefly IU's violations, NOV's issued and IU's response-if any)

In addition to reviewing IU's violations, the Draft Consent/Compliance Order, proposed on Date, was discussed at the meeting. (Include this statement if a Draft Order was issued and/or discussed in the meeting)

IU expressed its good faith intentions to take any and all such

corrective actions necessary to achieve compliance at the earliest possible date and agreed to enter into a Consent Order with the City of Los Angeles. As a result, the attached Consent Order has been prepared in lieu of finalizing the Compliance Order/is being finalized. *(Use whichever appropriate)*

By **10 days from date of letter**, please review and return both copies of the original documents, signed by an executive officer of **IU**, to the following address:

City of Los Angeles/LA Sanitation and Environment
Industrial Waste Management Division
2714 Media Center Drive
Los Angeles, CA 90065

Attn: Staff Engineer

Once the Consent Order is signed by **IU**, the City will sign the order and send a copy to **IU**. The Consent Order does not become effective until both parties sign.

Be aware that compliance with the terms of this Consent Order shall not relieve **IU** from its obligation to comply with Industrial Wastewater Permit No. W-XXXXXX, which remains in full force and effect. In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, IU is obligated to repay all costs incurred by the City of Los Angeles as a result of this action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

Date

IU Name
IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX
Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

ISSUANCE OF FINAL CONSENT ORDER

Enclosed please find a signed copy of the Consent Order. This order shall become effective as of Date.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LA SANITATION AND ENVIRONMENT
INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name

IU Address

INDUSTRIAL USER NO. IUXXXXXX

INDUSTRIAL WASTEWATER

PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

CONSENT ORDER

LEGAL AUTHORITY

WHEREAS, the City of Los Angeles, LA Sanitation and Environment pursuant to the powers, duties, and responsibilities vested in and imposed upon the Director and delegated to the Manager of the Industrial Waste Management Division by provisions of Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), has determined the following:

1. The City has implemented a pretreatment program to protect its wastewater treatment plants, which can be adversely impacted by discharges from industrial users, including IU, if such discharges are not properly controlled;
2. IU was issued Industrial Wastewater Permit No. W-XXXXXX on Date which prohibits discharge of industrial waste in violation of the City's Ordinance or regulations of the Board of Public Works made pursuant thereto;
3. IU's Industrial Wastewater Permit No. W-XXXXXX was most recently amended/renewed on Date;
4. IU is classified under Categorical/Non-Categorical Significant Industrial User (CIU/NC SIU) Group SIXX with an average industrial wastewater flow of XXXX gpd;
(Use IU classification as appropriate)
5. IU operates a facility involved in (description of process) and discharges non-domestic wastewater containing pollutants to the sanitary sewer system of the City of Los Angeles;

- 50
51 6. **IU** is a "significant industrial user" as defined by Part
52 403.3(v)(1)(i)/(ii) [Use (ii) if IU is NCSIU] of Title 40 of
53 the Code of Federal Regulations (40 CFR), and is subject to
54 general pretreatment standards and National Categorical
55 Pretreatment Standards as promulgated by EPA in 40 CFR 403
56 and 4XX; *(Only use highlighted portion and two sections*
57 *below if IU is Categorical)*
58
- 59 7. Pursuant to 40 CFR 4XX, any (existing/new source - describe
60 process) operation, discharging less/more than 10,000 gallons
61 a day (413 only), must comply with the daily maximum and
62 monthly/4-day (413 only) average discharge limits for (**list**
63 **federally regulated parameters**) set forth in 40 CFR 4XX by
64 the (Date, final compliance deadline/within 90 days of
65 commencement of discharge);
66
- 67 8. Pursuant to 40 CFR 4XX, any (existing/new source - describe
68 process) operation must also comply with the daily maximum
69 limit for **total toxic organics** set forth in 40 CFR 4XX by the
70 (Date, final compliance deadline/within 90 days of
71 commencement of discharge);
72
- 73 9. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8)
74 prohibits the discharge of any material which will cause the
75 City to violate its National Pollution Discharge Elimination
76 System Permits, applicable Federal and State statutes, rules,
77 or regulations;
78
- 79 10. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes
80 it unlawful to introduce wastewater to the City's sewer system
81 that exceeds listed specific pollutant limitations or other
82 more restrictive limitations imposed by permit conditions or
83 National Categorical Pretreatment Standards;
84 *(Use highlighted portion if IU is Categorical)*
85
- 86 11. Pursuant to the City's Ordinance, Section 64.30.E.9.(c) makes
87 it unlawful for any person to violate any provision of the
88 City's Ordinance or any term or condition of any permit issued
89 pursuant thereto; and
90
- 91 12. Pursuant to the City's Ordinance and above referenced permit,
92 data has been routinely collected or submitted on the
93 compliance status of **IU**.
94

FACTS

1. **IU** has failed to achieve compliance with conditions contained in Industrial Wastewater Permit No. **W-XXXXXX**; and
2. At a Compliance Meeting held on **Date** with **IU** and Industrial Waste Management Division staff, **IU** agreed to take any and all necessary corrective actions to achieve consistent compliance and enter into a Consent Order with the City of Los Angeles.

CONSENT ORDER

Therefore, to ensure that IU is brought into compliance at the earliest possible date, **IT IS HEREBY AGREED AND ORDERED, BETWEEN IU AND THE MANAGER OF THE INDUSTRIAL WASTE MANAGEMENT DIVISION FOR THE CITY OF LOS ANGELES, THAT IU SHALL:**

1. SUBMIT ENGINEERING PLAN

By **30 days from date of order**, IU shall submit an engineering plan. This plan shall outline the steps to be taken to maintain consistent and permanent compliance and shall include the following:

- A. A detailed description of the proposed pretreatment system; including, design criteria, chemistry of treatment, process flow diagram, equipment to be installed, and any construction, additions, or modifications to be implemented;
- B. A cost estimate for all corrective actions to be implemented including a breakdown of capital and labor expenses for major items of the work;
- C. A description of operation and maintenance procedures to be implemented; and
- D. A schedule of compliance, not to extend beyond **90/120 days from date of order**, that includes the following dates:
 - (1) The beginning and ending dates of any construction or installation of equipment; and
 - (2) The date's new operation and maintenance procedures will take effect.

2. IMPLEMENT ENGINEERING PLAN

By **60/90 days from date of order**, IU shall complete the installation of all pretreatment equipment and other construction, additions, or modifications as outlined in the engineering plan.

3. SUBMIT POLLUTION PREVENTION PLAN

- A. By **30 days from date of order**, IU shall submit a pollution prevention plan. This plan shall evaluate the following pollution prevention/source reduction technologies:

- (1) Wastewater flow reduction

- 158 (2) Raw material changes to avoid or eliminate
159 pollutants that enter wastestreams
160 (3) Improving operational practices including,
161 but not limited to, recycling loss prevention,
162 waste segregation, production scheduling,
163 maintenance operations, and overall site
164 management
165 (4) Process changes or equipment modifications, to
166 reduce the usage and production of hazardous
167 wastestreams
168 (5) Recovery and re-use of generated wastestreams
169
170 B. The plan shall also address management issues such as
171 inventory control, employee training, in-house policies,
172 increasing supervisory teams, corporate or management
173 commitment, and other programs or measures to improve
174 waste management practices.
175
176 C. Those items selected for implementation shall be
177 identified along with the following information:
178 (1) Schedule of implementation
179 (2) Estimate of capital cost
180 (3) Estimate of annual cost savings
181 (4) Justification for options not selected
182

183 **4. IMPLEMENT POLLUTION PREVENTION PLAN**
184

185 By **60/90 days from date of order**, **IU** shall complete all
186 pollution prevention and source control procedures as
187 outlined in the pollution prevention plan.
188

189 **5. CONDUCT ADDITIONAL SELF-MONITORING**
190

- 191 A. **Once per month/In the first and third week of each month**,
192 beginning **Date of order**, until the engineering and
193 pollution prevention plans are fully implemented, **IU**
194 shall collect 24-hour composite samples of its discharge
195 and analyze for **(list all applicable federally and**
196 **locally regulated parameters)** and collect grab samples
197 of its discharge and analyze for **(list all applicable**
198 **federally and locally regulated parameters)**.
199
200 B. **Once per week**, following complete implementation of the
201 engineering and pollution prevention plans, beginning
202 Date, for a period of **four** weeks, **IU** shall collect 24-
203 hour composite samples of its discharge and analyze for
204 **(list all applicable federally and locally regulated**
205 **parameters)** and collect grab samples of its discharge
206 and analyze for **(list all applicable federally and**
207 **locally regulated parameters)**.
208

- 209 C. Grab samples for **total toxic organics** shall be analyzed
210 for all reasonably expected constituents listed in
211 Industrial Wastewater Permit No. **W-XXXXXX**.
212 [Use this statement only if TTO violations have
213 occurred]
214
- 215 D. All sample analyses shall be performed by an independent
216 laboratory using EPA approved analytical methods and
217 shall be representative of discharge to the sewer.
218
- 219 E. All samples shall be taken from Sample Point XX,
220 (description of the sample point).
221
- 222 F. **IU** shall prenotify the SIU Inspection Group at **(323)**
223 **342-6200**, 48 hours prior to any self-monitoring
224 performed.
225
- 226 G. All self-monitoring performed as required by this order
227 shall be reported on **IU's** periodic self-monitoring
228 report form.
229
- 230 H. If results of any sample analysis indicate exceedences
231 of discharge standards, **IU** shall notify the SIU
232 Inspection Group at **(323) 342-6200** within 24 hours of
233 becoming aware of the violation.
234

235 **6. SUBMIT OPERATION AND MAINTENANCE MANUAL**
236

237 By **105/135 days from date of order**, **IU** shall submit an
238 Operation and Maintenance Manual which includes the following
239 documentation:

- 240 (1) Design Considerations
241 (2) Waste/Wastewater Sources
242 (3) Chemistry of Treatment
243 (4) Wastewater Treatment Process Flow Diagram
244 (5) Pretreatment Unit Operation Procedures
245 (6) Chemical Preparations
246 (7) Troubleshooting
247 (8) Manufacturer's Literature
248 (9) Daily Logbook
249
250

251 **7. SUBMIT REQUIRED INFORMATION AND REPORTS**
252

- 253 A. **IU** shall submit all self-monitoring results required by
254 this order no later than the 15th day of the month
255 following the date of sampling, as described in the
256 attached/compliance schedule.
257
- 258 B. **IU** shall submit a monthly progress report no later than
259 the 15th day of the month following the month covered by
260 the report, as described in the attached/compliance

schedule. The progress reports shall include a notice of compliance/noncompliance regarding any increment of progress, which was to be met within that month.

C. In the event **IU** fails to comply with any of the dates specified in the Consent Order or the attached schedule, **IU** shall, within one day of the compliance schedule date, notify the City in writing. This notice shall describe the reasons for **IU's** failure to comply, the additional amount of time needed to complete the remaining work, and the steps to be taken to avoid future delays. This notification in no way excuses **IU** from its responsibility to meet any later milestones required by this order.

D. Every submittal required by this Consent Order, **excluding enforcement self-monitoring reports**, shall be sent to the following address:

**City of Los Angeles/LA Sanitation and Environment
Industrial Waste Management Division
2714 Media Center Drive
Los Angeles, CA 90065
Attn: Staff Engineer**

E. **IU** shall submit all self-monitoring reports, **including periodic and enforcement self-monitoring reports**, to the following address:

**City of Los Angeles/LA Sanitation and Environment
Industrial Waste Management Division
2714 Media Center Drive
Los Angeles, CA 90065
Attn: Information Systems Support Squad**

8. MAINTAIN CONSISTENT COMPLIANCE

A. By **90/120 days from date of order**, achieve full and permanent compliance with all provisions of the City's Ordinance and **IU's** Industrial Wastewater Permit No. **W-XXXXXX**.

B. By **105/135 days from date of order**, submit a final notice of compliance with the terms of this Consent Order.

306 **IU'S RESPONSIBILITIES**

- 307
- 308 1. Compliance with the terms and conditions of this order shall
- 309 not be construed to relieve **IU** of its obligation to comply
- 310 with its industrial wastewater permit which remains in full
- 311 force and effect. The City reserves the right to seek any
- 312 and all remedies available to it under Section 64.30 E of the
- 313 City's Ordinance.
- 314
- 315 2. Violation of the terms and conditions of this order shall
- 316 constitute a further violation of Section 64.30 of the City's
- 317 Ordinance and may subject **IU** to enforcement actions as may be
- 318 appropriate.
- 319
- 320 3. Nothing in this order shall be construed to limit any
- 321 authority of the City to issue any other orders or take any
- 322 other action deemed necessary.
- 323
- 324 4. **IU** shall be responsible for all cost recovery charges assessed
- 325 due to sampling, testing, inspection, engineering, and
- 326 administrative enforcement actions conducted as a result of
- 327 this order.
- 328

329 **SIGNATORIES**

330

331 This order shall become effective on **10 days from date of cover**

332 **letter for this order** contingent upon signature of both parties.

333

334 **FOR IU:**

335

336 _____

337 signature

336 _____

337 date

338

339 _____

340 print name

339 _____

340 title

341

342

343 **FOR CITY OF LOS ANGELES:**

344

345 _____

346 date

347 [Manager Name]

348 Industrial Waste Management Division

349 **LA Sanitation and Environment**

350 City of Los Angeles

CONSENT ORDER SCHEDULE

IU NAME
IU ADDRESS

INDUSTRIAL USER NO. IUXXXXXX
INDUSTRIAL WASTEWATER PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

CONSENT ORDER REQUIREMENTS

DUE DATE

- | | |
|---|------------------------|
| 1. Submit Engineering Plan | Month day, year |
| 2. Implement Engineering Plan | Month day, year |
| 3. Submit Pollution Prevention Plan | Month day, year |
| 4. Implement Pollution Prevention Plan | Month day, year |
| 5. Submit Operation and Maintenance Manual | Month day, year |
| 6. Submit Enforcement Self-Monitoring Reports (SMRs): | |
| For Month day, year to Month day, year | Month day, year |
| For Month day, year to Month day, year | Month day, year |
| For Month day, year to Month day, year | Month day, year |
| For Month day, year to Month day, year | Month day, year |
| For Month day, year to Month day, year | Month day, year |
| 7. Submit Monthly Progress Reports: | |
| 1st report for Month year | Month day, year |
| 2nd report for Month year | Month day, year |
| 3rd report for Month year | Month day, year |
| 4th report for Month year | Month day, year |
| 5th report for Month year | Month day, year |
| 8. <u>Final Compliance Deadline</u> | <u>Month day, year</u> |
| 9. Submit Final Notice of Compliance | Month day, year |

Date

IU Name
IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX
Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF TERMINATION OF ENFORCEMENT ACTION (CONSENT ORDER)

The corrective actions taken by IU and the subsequent compliance with discharge standards and other Consent Order requirements have been duly noted by LA Sanitation and Environment. As a result, effective Date, IU is hereby notified of the termination of enforcement actions under Industrial Wastewater Permit No. W-XXXXXX and the return to routine status.

IU is no longer subject to the increased enforcement monitoring frequency. IU, however, must continue to self-monitor according to its periodic self-monitoring frequency, and maintain compliance with all permit conditions as stated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any further violations of Industrial Wastewater Permit No. W-XXXXXX will result in additional self-monitoring requirements and may also subject IU to escalated enforcement action, including permit suspension or revocation.

In addition, pursuant to the Los Angeles Municipal Code Section

64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

EXHIBIT 5

COMPLIANCE ORDER DOCUMENTS

(Exhibit 5)

Compliance Order

Categorical Industrial User

(CIU)

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF COMPLIANCE MEETING (CIU)

A review of **IU's** compliance history indicates continued violations of conditions contained in Industrial Wastewater Permit No. W-XXXXXX and Section 64.30 of the Los Angeles Municipal Code.

(Discuss IU's violations and NOV's issued to IU)

As a result, **IU** is hereby required to attend a Compliance Meeting with the **LA Sanitation and Environment**, Industrial Waste Management Division. Attached is a Draft Compliance Order requiring **IU** to take necessary corrective actions and achieve consistent compliance with all conditions of Industrial Wastewater Permit No. W-XXXXXX. This order is proposed to ensure that compliance with all local and federal pretreatment standards is achieved and maintained.

The Compliance Meeting will be held on **Day, Date** at **time** in the Industrial Waste Management Division headquarters located at **2714 Media Center Drive, Los Angeles, CA.** The meeting will be informal in nature and must be attended by **IU's** management and operations staff. **IU** should be prepared to present a plan of corrective actions and installation of any necessary pretreatment equipment

to ensure that full and permanent compliance will be achieved and maintained.

At the conclusion of the meeting, the City will make a determination whether to modify the order based on the information presented, or to issue the order as proposed.

Failure to attend the Compliance Meeting will result in final issuance of the Compliance Order without discussion with **IU**. In addition, failure to achieve compliance will lead to escalated enforcement action and may result in permit suspension or revocation. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject **IU** to civil penalties of up to \$25,000 a day for each violation.

To confirm attendance of the scheduled Compliance Meeting, or if there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

ISSUANCE OF COMPLIANCE ORDER (CIU)

A Compliance Meeting was held on Date with LA Sanitation and Environment (LASAN), Industrial Waste Management Division staff and IU to discuss IU's noncompliance with conditions of Industrial Wastewater Permit No. W-XXXXXX and the proposed Compliance Order issued on Date.

At this meeting, IU's proposal of corrective actions was discussed.
(Discuss specifics of IU's proposal)

It is LASAN's decision that these corrective actions must be taken by IU. Therefore, the attached Compliance Order is hereby issued and finalized.

Be aware that failure to achieve and maintain compliance with pretreatment standards and permit conditions and/or failure to comply with the requirements of this Compliance Order will lead to escalated enforcement action and may result in permit suspension or revocation. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject

IU to civil penalties of up to \$25,000 a day for each violation.

In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LA SANITATION AND ENVIRONMENT
INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name

IU Address

INDUSTRIAL USER NO. IUXXXXXX

INDUSTRIAL WASTEWATER

PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

*
*
*
*
*
*
*
*
*

COMPLIANCE
ORDER

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, LA Sanitation and Environment, under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the LA Sanitation and Environment, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the LA Sanitation and Environment finds that IU is in violation of conditions contained in Industrial Wastewater Permit No. W-XXXXXX.

This finding is made on the basis of the following facts:

1. IU was issued Industrial Wastewater Permit No. W-XXXXXX on Date, which prohibits discharge of industrial waste in violation of the City's Ordinance or regulations of the Board of Public Works made pursuant thereto;
2. IU's Industrial Wastewater Permit No. W-XXXXXX was most recently amended/renewed on Date;
(Use this statement if applicable)
3. IU is classified under Categorical Industrial User (CIU)

- 49 Group SIXX with an average industrial wastewater flow of XXXX
50 gpd;
51
- 52 4. **IU** operates a facility involved in (process description) and
53 discharges non-domestic wastewater containing pollutants to
54 the sanitary sewer system of the City of Los Angeles;
55
 - 56 5. **IU** is a "significant industrial user" as defined by Part
57 403.3(v)(1)(i) of Title 40 of the Code of Federal Regulations
58 (40 CFR) and is subject to general pretreatment standards and
59 National Categorical Pretreatment Standards as promulgated by
60 the EPA in 40 CFR 403 and 4XX;
61
 - 62 6. Pursuant to 40 CFR 4XX, any existing/new source - describe
63 process operation, discharging less/more than 10,000 gallons
64 a day (413 only), must comply with the daily maximum and
65 monthly average/4-day (413 only) discharge limits for (**list**
66 **all federally regulated parameters**) set forth in 40 CFR 4XX
67 by the (Date, final compliance deadline/within 90 days of
68 commencement of discharge);
69
 - 70 7. Pursuant to 40 CFR 4XX, any existing/new source - describe
71 process operation must also comply with the daily maximum
72 discharge limit for **total toxic organics** set forth in 40 CFR
73 4XX by the (Date, final compliance deadline/within 90 days of
74 commencement of discharge);
75
 - 76 8. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8)
77 prohibits the discharge of any material which will cause the
78 City to violate its National Pollution Discharge Elimination
79 System Permits, applicable Federal and State statutes, rules,
80 or regulations;
81
 - 82 9. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes
83 it unlawful to introduce wastewater to the City's sewer system
84 that exceeds listed specific pollutant limitations or other
85 more restrictive limitations imposed by permit conditions or
86 National Categorical Pretreatment Standards;
87
 - 88 10. Pursuant to the City's Ordinance, Section 64.30.E.9.(c) makes
89 it unlawful for any person to violate any provision of the
90 City's Ordinance or any term or condition of any permit issued
91 pursuant thereto; and
92
 - 93 11. Pursuant to the City's Ordinance and above referenced permit,
94 data has been routinely collected or submitted on the
95 compliance status of **IU**.

FINDINGS OF VIOLATION

City Records show that **IU** violated its permit conditions and the City's Ordinance in the following manner:

1. **IU** has exceeded instantaneous maximum, daily maximum, and/or monthly/4-day(413 only) average discharge standards **number (#)** times for a total of **number (#)** days of violation, as shown below.

DISCHARGE LIMITS VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA-METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
	POTW-G				DM	1	
	POTW-C				IM	1	
	IU-G				4D	1	
	IU-C				MA	30/31	
	CPS-G				DM	1	
	CPS-C				DM	1	

4D - 4-Day Average (Pretreatment Stds, 40 CFR 413)
CPS - Average of Combined City and IU Results
DM - Daily Maximum (Pretreatment Stds, 40 CFR 4XX)
IM - Instantaneous Maximum (Local Limit, LAMC 64.30)
IU-C - Composite Sample collected by IU
IU-G - Grab Sample collected by IU
MA - Monthly Average (Pretreatment Stds, 40 CFR 4XX)
NOV# - Notice of Violation Number
POTW-C - Composite Sample collected by the City
POTW-G - Grab Sample collected by the City
(Note: Abbreviations not used may be deleted from the order)

2. **IU** violated reporting requirements, as shown below.

REPORTING VIOLATIONS

REPORTING PERIOD	DUE DATE	VIOLATION TYPE	NOV#
MONTH-MONTH YR	MONTH DAY, YR	FS	XXXXXXXX

DS - Delinquent Self-Monitoring Report
FAO - Failure to Submit (Type of Admin. Order Report)
FES - Failure to Submit Enforcement Self-Monitoring Report
FPI - Failure to Submit Permitting Information

135 FPN - Failure to Pre-notify
136 FS - Failure to Submit Self-Monitoring Report
137 IS - Incomplete Self-Monitoring Report
138 NOV# - Notice of Violation Number
139 *(Note: Abbreviations not used may be deleted from the order)*
140
141 3. **IU** has exceeded criteria for significant noncompliance as
142 defined in 40 CFR 403.8(f)(2)(vii).
143 *(Use this section if applicable)*

**FINDINGS OF VIOLATION SUBSEQUENT
TO ISSUANCE OF CEASE AND DESIST ORDER**

Based upon the above Findings of Violation, **IU** was issued a Cease and Desist Order on **Date** requiring that consistent compliance be achieved and maintained by **Date**. As part of this order, **IU** was required to conduct additional self-monitoring. Multi-day sampling of **IU's** discharge was also performed by the City from **period of time**.

This data shows that **IU** has continued to violate the City's Ordinance and the terms of the Cease and Desist Order in the following manner:

1. **IU** has exceeded instantaneous maximum, daily maximum, and/or monthly/4-day(413 only) average discharge standards subsequent to issuance of the Cease and Desist Order **number (#)** times for a total of **number (#)** days of violation, as shown below.

**CEASE AND DESIST ORDER
DISCHARGE LIMITS VIOLATIONS**

SAMPLE DATE	SAMPLE TYPE	PARA- METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
	POTW-G				DM	1	
	POTW-C				IM	1	
	IU-G				4D	1	
	IU-C				MA	30/31	
	CPS-G				DM	1	
	CPS-C				DM	1	

4D - 4-Day Average (Pretreatment Stds, 40 CFR 413)
CPS - Average of Combined City and IU Results
DM - Daily Maximum (Pretreatment Stds, 40 CFR 4XX)
IM - Instantaneous Maximum (Local Limit, LAMC 64.30)
IU-C - Composite Sample collected by IU
IU-G - Grab Sample collected by IU
MA - Monthly Average (Pretreatment Stds, 40 CFR 4XX)
NOV# - Notice of Violation Number
POTW-C - Composite Sample collected by the City
POTW-G - Grab Sample collected by the City
(Note: Abbreviations not used may be deleted from the order)

2. **IU** has violated its reporting requirements during the term of the Cease and Desist Order, as shown below.

CEASE AND DESIST ORDER
REPORTING VIOLATIONS

REPORTING PERIOD	DUE DATE	VIOLATION TYPE	NOV#
MONTH-MONTH YR	MONTH DAY, YR	FS	XXXXXXXX

DS - Delinquent Self-Monitoring Report
 FAO - Failure to Submit (Type of Admin. Order Report)
 FES - Failure to Submit Enforcement Self-Monitoring Report
 FPI - Failure to Submit Permitting Information
 FPN - Failure to Pre-notify
 FS - Failure to Submit Self-Monitoring Report
 IS - Incomplete Self-Monitoring Report
 NOV# - Notice of Violation Number
 (Note: Abbreviations not used may be deleted from the order)

Based upon the above Findings of Violation, **IU** is/was required to attend a Compliance Meeting with City staff on Date to discuss the issue of noncompliance with the Cease and Desist Order requirements/permit conditions and further corrective actions to be taken such that full and permanent compliance would be achieved. (Use whichever applicable/appropriate)

COMPLIANCE ORDER

THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION, IU
IS HEREBY ORDERED TO:

1. ACHIEVE INTERIM COMPLIANCE

A. By 30 days from date of order, IU shall take appropriate corrective actions necessary to achieve interim compliance with discharge standards stipulated in Industrial Wastewater Permit No. W-XXXXXX.

B. By 45 days from date of order, IU shall submit a notice indicating whether compliance has been achieved and describing actions taken in response to item 1.A of this order.

2. MAINTAIN CONSISTENT COMPLIANCE

By 90/120 days from date of order, IU shall take all corrective actions necessary such that IU's wastewater discharge is in full and permanent compliance with all provisions of Industrial Wastewater Permit No. W-XXXXXX.

[Note: if 120 day deadline is applied, all other later date options must also be applied.]

3. SUBMIT ENGINEERING PLAN

By 30 days from date of order, IU shall submit an engineering plan. This plan shall outline the steps to be taken to maintain consistent and permanent compliance and shall include the following:

A. A detailed description of the proposed pretreatment system; including, design criteria, chemistry of treatment, process flow diagram, equipment to be installed, and construction or modifications to be implemented;

B. A cost estimate for all corrective actions to be implemented including a breakdown of capital and labor expenses for major items of the work;

C. A description of operation and maintenance procedures to be implemented; and

D. A schedule of compliance, not to exceed beyond 90/120

days from date of order, that includes the following dates:

- (1) The beginning and ending dates of any construction or installation of equipment; and
- (2) The dates new operation and maintenance procedures will take effect.

4. IMPLEMENT ENGINEERING PLAN

By 60/90 days from date of order, IU shall complete the installation of all pretreatment equipment and other construction, additions, or modifications as outlined in the engineering plan.

5. SUBMIT POLLUTION PREVENTION PLAN

A. By 30 days from date of order, IU shall submit a pollution prevention plan. This plan shall evaluate the following pollution prevention/source reduction technologies:

- (1) Wastewater flow reduction;
- (2) Raw material changes to avoid or eliminate pollutants that enter wastestreams;
- (3) Improving operational practices including, but not limited to, recycling loss prevention, waste segregation, production scheduling, maintenance operations and overall site management;
- (4) Process changes or equipment modifications to reduce the usage and production of hazardous wastestreams; and
- (5) Recovery and re-use of the generated wastestreams;

B. The plan shall also address management issues such as inventory control, employee training, in-house policies, increasing supervisory teams, corporate or management commitment, and other programs or measures to improve waste management practices.

C. Those items selected for implementation shall be identified along with the following information:

- (1) Schedule of implementation
- (2) Estimate of capital cost
- (3) Estimate of annual cost savings
- (4) Justification for options not selected

6. IMPLEMENT POLLUTION PREVENTION PLAN

By **60/90 days from date of order**, **IU** shall complete all pollution prevention and source control procedures as outlined in the pollution prevention plan.

7. CONDUCT ADDITIONAL SELF-MONITORING

- A. **Once per month/In the first and third week of each month**, beginning **Date of order**, until the engineering and pollution prevention plans are fully implemented, **IU** shall collect 24-hour composite samples of its discharge and analyze for **(list all applicable federally and locally regulated parameters)** and collect grab samples of its discharge and analyze for **(list all applicable federally and locally regulated parameters)**.
- B. **Once per week**, following complete implementation of the engineering and pollution prevention plans, beginning **Date**, for a period of **four weeks**, **IU** shall collect 24-hour composite samples of its discharge and analyze for **(list all applicable federally and locally regulated parameters)** and collect **(number)** grab samples of its discharge and analyze for **(list all applicable federally and locally regulated parameters)**.
- C. Grab samples for total toxic organics shall be analyzed for all reasonably expected constituents listed in Industrial Wastewater Permit No. **W-XXXXXX**.
[Note: use this statement only if TTO violations have occurred]
- D. All sample analyses shall be performed by an independent laboratory using EPA approved analytical methods and shall be representative of discharge to the sewer.
- E. All samples shall be taken from Sample Point **XX**,
(description of the sample point).
- F. **IU** shall prenotify the SIU Inspection Group at **(323) 342-6200**, 48 hours prior to any self-monitoring performed.
- G. All self-monitoring performed as required by this order shall be reported on **IU's** periodic self-monitoring report form.
- H. If results of any sample analysis indicate exceedences of discharge standards, **IU** shall notify the SIU

Inspection Group at (323) 342-6200 within 24 hours of becoming aware of the violation.

8. SUBMIT OPERATION AND MAINTENANCE MANUAL

By 105/135 days from date of order, **IU** shall submit an Operation and Maintenance Manual which includes the following documentation:

- (1) Design Considerations
- (2) Waste/Wastewater Sources
- (3) Chemistry of Treatment
- (4) Wastewater Treatment Process Flow Diagram
- (5) Pretreatment Unit Operation Procedures
- (6) Chemical Preparations
- (7) Troubleshooting
- (8) Manufacturer's Literature
- (9) Daily Logbook

9. SUBMIT REQUIRED INFORMATION AND REPORTS

A. **IU** shall submit all self-monitoring results required by this order no later than the 15th day of the month following the date of sampling, as described in the attached/compliance schedule.

B. **IU** shall submit monthly progress reports no later than the 15th day of the month following the month covered by the report, as described in the attached/compliance schedule. The progress reports shall include a notice of compliance/noncompliance regarding any increment of progress, which was to be met within that month. In the event **IU** fails to comply with any of the dates specified in the schedule of compliance, **IU** shall describe the reasons for failure to comply, the additional amount of time needed to complete the remaining work, and the steps to be taken to avoid future delays. This in no way excuses **IU** from its responsibility to meet any later milestones as specified in the compliance schedule.

C. Every submittal shall be signed by an executive officer of **IU** and shall include the following statement:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those

399 persons directly responsible for gathering the information, I certify that all
400 information is true and all wastewater samples analyzed and reported herein are
401 representative of the ordinary process wastewater flow from this facility. I am aware
402 that there are significant penalties for submitting false information, including the
403 possibility of fine and imprisonment for knowing violations.
404

- 405 D. Every submittal required by this Compliance Order,
406 **excluding enforcement self-monitoring reports**, shall be
407 sent to the following address:

408
409 ***City of Los Angeles/LA Sanitation and Environment***
410 ***Industrial Waste Management Division***
411 ***2714 Media Center Drive***
412 ***Los Angeles, CA 90065***

413
414 Attn: ***Staff Engineer***
415

- 416 E. ***IU*** shall submit all self-monitoring reports, **including**
417 **periodic and enforcement self-monitoring reports**, to the
418 following address:

419
420 ***City of Los Angeles/LA Sanitation and Environment***
421 ***Industrial Waste Management Division***
422 ***2714 Media Center Drive***
423 ***Los Angeles, CA 90065***

424
425 Attn: ***Information Systems Support Squad***

426 **IU'S RIGHTS AND RESPONSIBILITIES**

- 427
- 428 1. **IU** shall be responsible for all cost recovery charges assessed
- 429 due to sampling, testing, inspection, engineering, and
- 430 administrative enforcement actions conducted as a result of
- 431 this order.
- 432
- 433 2. Failure to comply with the terms of this order shall
- 434 constitute a further violation of the City's Ordinance and
- 435 may subject **IU** to civil or criminal penalties or such other
- 436 enforcement actions as may be appropriate.
- 437
- 438 3. Pursuant to the City's Ordinance, Section 64.30.E.3.(e), **IU**
- 439 has the right to have this matter heard before the Board of
- 440 Public Works. **IU** may file a request for a hearing by
- 441 contacting the Permitting and Enforcement Environmental
- 442 Engineer at (323) 342-6098. Filing of such a request will not
- 443 stay the terms of this order; however, it will provide **IU**
- 444 with the opportunity for a hearing before the Board. At the
- 445 conclusion of the hearing, the Board shall make a
- 446 determination whether to uphold or modify the terms of this
- 447 order, or the Board may take other enforcement actions as
- 448 deemed necessary.
- 449

450

451 **SIGNATORIES**

452

453

454 This order takes effect upon signature.

455

456

457 Signed: _____ Date: _____

458

459 [Manager Name]

460 Industrial Waste Management Division

461 LA Sanitation and Environment

462 City of Los Angeles

COMPLIANCE ORDER SCHEDULE

(IU) NAME
IU ADDRESS

INDUSTRIAL USER NO. IUXXXXXX
INDUSTRIAL WASTEWATER PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

<u>COMPLIANCE ORDER REQUIREMENTS</u>	<u>DUE DATE</u>
1. Achieve Interim Compliance	Month day, year
2. Submit Notice of Compliance/Noncompliance	Month day, year
3. Submit Engineering Plan	Month day, year
4. Implement Engineering Plan	Month day, year
5. Submit Pollution Prevention Plan	Month day, year
6. Implement Pollution Prevention Plan	Month day, year
7. Submit Operation and Maintenance Manual	Month day, year
8. Submit Enforcement Self-Monitoring Reports (SMR):	
For Month day, year to Month day, year	Month day, year
For Month day, year to Month day, year	Month day, year
For Month day, year to Month day, year	Month day, year
For Month day, year to Month day, year	Month day, year
For Month day, year to Month day, year	Month day, year
9. Submit Monthly Progress Reports:	
1st report for Month year	Month day, year
2nd report for Month year	Month day, year
3rd report for Month year	Month day, year
4th report for Month year	Month day, year
5th report for Month year	Month day, year
10. <u>Final Compliance Deadline</u>	<u>Month day, year</u>

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF TERMINATION OF ENFORCEMENT ACTION (CIU)

The corrective actions taken by IU and the subsequent compliance with discharge standards and other Compliance Order requirements have been duly noted by LA Sanitation and Environment. As a result, effective Date, IU is hereby notified of the termination of enforcement actions under Industrial Wastewater Permit No. W-XXXXXX and the return to routine status.

IU is no longer subject to the increased enforcement monitoring frequency. IU, however, must continue to self-monitor according to its periodic self-monitoring frequency, and maintain compliance with all permit conditions as stated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any further violations of Industrial Wastewater Permit No. W-XXXXXX will result in additional self-monitoring requirements and may also subject IU to escalated enforcement action, including permit suspension or revocation. In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, IU

is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

(Exhibit 5)

Compliance Order

Non-Categorical Significant Industrial User

(NCSIU)

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF COMPLIANCE MEETING (NCSIU)

A review of IU's compliance history indicates continued violations of conditions contained in Industrial Wastewater Permit No. W-XXXXXX and Section 64.30 of the Los Angeles Municipal Code.

(Discuss IU's violations and NOVs issued to IU)

As a result, IU is hereby required to attend a Compliance Meeting with the LA Sanitation and Environment, Industrial Waste Management Division. Attached is a Draft Compliance Order requiring IU to take necessary corrective actions and achieve consistent compliance with all conditions of Industrial Wastewater Permit No. W-XXXXXX. This order is proposed to ensure that compliance with all local and federal pretreatment standards is achieved and maintained.

The Compliance Meeting will be held on Day, Date at time in the Industrial Waste Management Division headquarters located at **2714 Media Center Drive, Los Angeles, CA.** The meeting will be informal

in nature and must be attended by **IU's** management and operations staff. **IU** should be prepared to present a plan of corrective actions and installation of any necessary pretreatment equipment to ensure that full and permanent compliance will be achieved and maintained.

At the conclusion of the meeting, the City will make a determination whether to modify the order based on the information presented, or to issue the order as proposed.

Failure to attend the Compliance Meeting will result in final issuance of the Compliance Order without discussion with **IU**. In addition, failure to achieve compliance will lead to escalated enforcement action and may result in permit suspension or revocation. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject **IU** to civil penalties of up to \$25,000 a day for each violation.

To confirm attendance of the scheduled Compliance Meeting, or if there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

ISSUANCE OF COMPLIANCE ORDER (NCSIU)

A Compliance Meeting was held on Date with LA Sanitation and Environment (LASAN), Industrial Waste Management Division staff and IU to discuss IU's noncompliance with conditions of Industrial Wastewater Permit No. W-XXXXXX and the proposed Compliance Order issued on Date.

At this meeting, IU's proposal of corrective actions was discussed.
(Discuss specifics of IU's proposal)

It is LASAN's decision that these corrective actions must be taken by IU. Therefore, the attached Compliance Order is hereby issued and finalized.

Be aware that failure to achieve and maintain compliance with pretreatment standards and permit conditions and/or failure to comply with the requirements of this Compliance Order will lead to escalated enforcement action and may result in permit suspension

or revocation. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject **IU** to civil penalties of up to \$25,000 a day for each violation.

In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LA SANITATION AND ENVIRONMENT
INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name

IU Address

INDUSTRIAL USER NO. IUXXXXXX

INDUSTRIAL WASTEWATER

PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

*
*
*
*
*
*
*
*
*

COMPLIANCE
ORDER

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, LA Sanitation and Environment, under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the LA Sanitation and Environment, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the LA Sanitation and Environment finds that IU is in violation of conditions contained in Industrial Wastewater Permit No. W-XXXXXX.

This finding is made on the basis of the following facts:

1. IU was issued Industrial Wastewater Permit No. W-XXXXXX on Date, which prohibits discharge of industrial waste in violation of the City's Ordinance or regulations of the Board of Public Works made pursuant thereto;
2. IU's Industrial Wastewater Permit No. W-XXXXXX was most recently amended/renewed on Date;
(Use this statement if applicable)

- 49 3. **IU** is classified under Non-Categorical Significant Industrial
50 User (NCSIU) Group SIXX with an average industrial wastewater
51 flow of XXXX gpd;
52
- 53 4. **IU** operates a facility involved in (process description) and
54 discharges non-domestic wastewater containing pollutants to
55 the sanitary sewer system of the City of Los Angeles;
56
- 57 5. **IU** is a "significant industrial user" as defined by Part
58 403.3(v)(1)(ii) of Title 40 of the Code of Federal Regulations
59 (40 CFR);
60
- 61 6. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8)
62 prohibits the discharge of any material which will cause the
63 City to violate its National Pollution Discharge Elimination
64 System Permits, applicable Federal and State statutes, rules,
65 or regulations;
66
- 67 7. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes
68 it unlawful to introduce wastewater to the City's sewer system
69 that exceeds listed specific pollutant limitations or other
70 more restrictive limitations imposed by permit conditions;
71
- 72 8. Pursuant to the City's Ordinance, Section 64.30.E.9.(c) makes
73 it unlawful for any person to violate any provision of the
74 City's Ordinance or any term or condition of any permit issued
75 pursuant thereto; and
76
- 77 9. Pursuant to the City's Ordinance and above referenced permit,
78 data has been routinely collected or submitted on the
79 compliance status of **IU**.

FINDINGS OF VIOLATION

City Records show that **IU** violated its permit conditions and the City's Ordinance in the following manner:

1. **IU** has exceeded instantaneous maximum discharge standards **number (#)** times for a total of **number (#)** days of violation, as shown below.

DISCHARGE LIMITS VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA-METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
	POTW-G				IM	1	
	IU-G				IM	1	

IM - Instantaneous Maximum (Local Limit, LAMC 64.30)
IU-G - Grab Sample collected by IU
NOV# - Notice of Violation Number
POTW-G - Grab Sample collected by the City
(Note: Abbreviations not used may be deleted from the order)

2. **IU** violated reporting requirements, as shown below.

REPORTING VIOLATIONS

REPORTING PERIOD	DUE DATE	VIOLATION TYPE	NOV#
MONTH-MONTH YR	MONTH DAY, YR	FS	XXXXXXXX

DS - Delinquent Self-Monitoring Report
FAO - Failure to Submit (Type of Admin. Order Report)
FES - Failure to Submit Enforcement Self-Monitoring Report
FPI - Failure to Submit Permitting Information
FPN - Failure to Pre-notify
FS - Failure to Submit Self-Monitoring Report
IS - Incomplete Self-Monitoring Report
NOV# - Notice of Violation Number
(Note: Abbreviations not used may be deleted from the order)

3. **IU** has exceeded criteria for significant noncompliance as defined in 40 CFR 403.8(f)(2)(vii).
(Use this section if applicable)

**FINDINGS OF VIOLATION SUBSEQUENT
TO ISSUANCE OF CEASE AND DESIST ORDER**

Based upon the above Findings of Violation, **IU** was issued a Cease and Desist Order on (Date) requiring that consistent compliance be achieved and maintained by (Date). As part of this order, **IU** was required to conduct additional self-monitoring. Multi-day sampling of **IU's** discharge was also performed by the City from (period of time).

This data shows that **IU** has continued to violate the City's ordinance and the terms of the Cease and Desist Order in the following manner:

1. **IU** has exceeded instantaneous maximum discharge standards subsequent to issuance of the Cease and Desist Order **number (#)** times for a total of **number (#)** days of violation, as shown below.

**CEASE AND DESIST ORDER
DISCHARGE LIMIT VIOLATIONS**

SAMPLE DATE	SAMPLE TYPE	PARA-METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
	POTW-G				IM	1	
	IU-G				IM	1	

IM - Instantaneous Maximum (Local Limit, LAMC 64.30)
IU-G - Grab Sample collected by IU
NOV# - Notice of Violation Number
POTW-G - Grab Sample collected by the City
(Note: Abbreviations not used may be deleted from the order)

2. **IU** has violated its reporting requirements during the term of the Cease and Desist Order, as shown below.

**CEASE AND DESIST ORDER
REPORTING VIOLATIONS**

REPORTING PERIOD	DUE DATE	VIOLATION TYPE	NOV#
MONTH-MONTH YR	MONTH DAY, YR	FS	XXXXXXXX

DS - Delinquent Self-Monitoring Report
FAO - Failure to Submit (Type of Admin. Order Report)

165 FES - Failure to Submit Enforcement Self-Monitoring Report
166 FPI - Failure to Submit Permitting Information
167 FPN - Failure to Pre-notify
168 FS - Failure to Submit Self-Monitoring Report
169 IS - Incomplete Self-Monitoring Report
170 NOV# - Notice of Violation Number

171 *(Note: Abbreviations not used may be deleted from the order)*
172

173 Based upon the above Findings of Violation, **IU** is/was required to
174 attend a Compliance Meeting with City staff on (Date) to discuss
175 the issue of noncompliance with the Cease and Desist Order
176 requirements/permit conditions and further corrective actions to
177 be taken such that full and permanent compliance would be achieved.
178 *(Use whichever applicable/appropriate)*

COMPLIANCE ORDER

THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION, IU
IS HEREBY ORDERED TO:

1. ACHIEVE INTERIM COMPLIANCE

- A. By 30 days from date of order, IU shall take appropriate corrective actions necessary to achieve interim compliance with discharge standards stipulated in Industrial Wastewater Permit No. W-XXXXXX.
- B. By 45 days from date of order, IU shall submit a notice indicating whether compliance has been achieved and describing actions taken in response to item 1.A of this order.

2. MAINTAIN CONSISTENT COMPLIANCE

By 90/120 days from date of order, IU shall take all corrective actions necessary such that IU's wastewater discharge is in full and permanent compliance with all provisions of Industrial Wastewater Permit No. W-XXXXXX.

[Note: If the 120 day deadline is applied, all other later date options must also be applied.]

3. SUBMIT ENGINEERING PLAN

By 30 days from date of order, IU shall submit an engineering plan. This plan shall outline the steps to be taken to maintain consistent and permanent compliance and shall include the following:

- A. A detailed description of the proposed pretreatment system; including design criteria, chemistry of treatment, process flow diagram, equipment to be installed, and construction or modifications to be implemented;
- B. A cost estimate for all corrective actions to be implemented including a breakdown of capital and labor expenses for major items of the work;
- C. A description of operation and maintenance procedures to be implemented; and
- D. A schedule of compliance, not to exceed beyond 90/120 days from date of order, that includes the following dates:
- (1) The beginning and ending dates of any construction or installation of equipment; and

- (2) The dates new operation and maintenance procedures will take effect.

4. IMPLEMENT ENGINEERING PLAN

By 60/90 days from date of order, IU shall complete the installation of all pretreatment equipment and other construction, additions, or modifications as outlined in the engineering plan.

5. SUBMIT POLLUTION PREVENTION PLAN

A. By 30 days from date of order, IU shall submit a pollution prevention plan. This plan shall evaluate the following pollution prevention/source reduction technologies:

- (1) Wastewater flow reduction;
- (2) Raw material changes to avoid or eliminate pollutants that enter wastestreams;
- (3) Improving operational practices including, but not limited to, recycling loss prevention, waste segregation, production scheduling, maintenance operations and overall site management;
- (4) Process changes or equipment modifications to reduce the usage and production of hazardous wastestreams; and
- (5) Recovery and re-use of generated wastestreams.

B. The plan shall also address management issues such as inventory control, employee training, in-house policies, increasing supervisory teams, corporate or management commitment, and other programs or measures to improve waste management practices.

C. Those items selected for implementation shall be identified along with the following information:

- (1) Schedule of implementation
- (2) Estimate of capital cost
- (3) Estimate of annual cost savings
- (4) Justification for options not selected

6. IMPLEMENT POLLUTION PREVENTION PLAN

By 60/90 days from date of order, IU shall complete all pollution prevention and source control procedures as outlined in the pollution prevention plan.

282 7. CONDUCT ADDITIONAL SELF-MONITORING

- 283
- 284 A. **Once per month/In the first and third week of each month,**
- 285 beginning **(Date of order)**, until the engineering and
- 286 pollution prevention plans are fully implemented, **IU**
- 287 shall collect grab samples of its discharge and analyze
- 288 for **(list all applicable locally regulated parameters)**.
- 289
- 290 B. **Once per week,** following complete implementation of the
- 291 engineering and pollution prevention plans, beginning
- 292 Date, for a period of **four weeks**, **IU** shall collect grab
- 293 samples of its discharge and analyze for **(list all**
- 294 **applicable locally regulated parameters)**.
- 295
- 296 C. All sample analyses shall be performed by an independent
- 297 laboratory using EPA approved analytical methods and
- 298 shall be representative of discharge to the sewer.
- 299
- 300 D. All samples shall be taken from Sample Point XX,
- 301 (description of the sample point).
- 302
- 303 E. **IU** shall prenotify the SIU Inspection Group, at **(323)**
- 304 **342-6200**, 48 hours prior to any self-monitoring
- 305 performed.
- 306
- 307 F. All self-monitoring performed as required by this order
- 308 shall be reported on **IU's** periodic self-monitoring
- 309 report form.
- 310
- 311 G. If results of any sample analysis indicate exceedences
- 312 of discharge standards, **IU** shall notify the SIU
- 313 Inspection Group, at **(323) 342-6200**, within 24 hours of
- 314 becoming aware of the violation.
- 315

316 8. SUBMIT OPERATION AND MAINTENANCE MANUAL

317

318 By **105/135 days from date of order**, **IU** shall submit an

319 Operation and Maintenance Manual which includes the following

320 documentation:

321

322

- 323 (1) Design Considerations
- 324 (2) Waste/Wastewater Sources
- 325 (3) Chemistry of Treatment
- 326 (4) Wastewater Treatment Process Flow Diagram
- 327 (5) Pretreatment Unit Operation Procedures
- 328 (6) Chemical Preparations
- 329 (7) Troubleshooting
- 330 (8) Manufacturer's Literature
- 331 (9) Daily Logbook
- 332
- 333

334 9. **SUBMIT REQUIRED INFORMATION AND REPORTS**

335
336 A. **IU** shall submit all self-monitoring results required by
337 this order no later than the 15th day of the month
338 following the date of sampling, as described in the
339 attached/compliance schedule.

340
341 B. **IU** shall submit monthly progress reports no later than
342 the 15th day of the month following the month covered by
343 the report, as described in the attached/compliance
344 schedule. The progress reports shall include a notice
345 of compliance/noncompliance regarding any increment of
346 progress, which was to be met within that month. In the
347 event **IU** fails to comply with any of the dates specified
348 in the schedule of compliance, **IU** shall describe the
349 reasons for failure to comply, the additional amount of
350 time needed to complete the remaining work, and the steps
351 to be taken to avoid future delays. This in no way
352 excuses **IU** from its responsibility to meet any later
353 milestones as specified in the compliance schedule.

354
355 C. Every submittal shall be signed by an executive officer
356 of **IU** and shall include the following statement:

357
358 I certify under penalty of law that this document and all attachments were prepared under my
359 direction or supervision in accordance with a system designed to assure that qualified
360 personnel properly gather and evaluate the information submitted. Based on my inquiry of
361 the person or persons who manage the system, or those persons directly responsible for
362 gathering the information, I certify that all information is true and all wastewater samples
363 analyzed and reported herein are representative of the ordinary process wastewater flow from
364 this facility. I am aware that there are significant penalties for submitting false information,
365 including the possibility of fine and imprisonment for knowing violations.

366
367 D. Every submittal, required by this Compliance Order,
368 **excluding enforcement self-monitoring reports**, shall be
369 sent to the following address:

370 **City of Los Angeles/LA Sanitation and Environment**
371 **Industrial Waste Management Division**
372 **2714 Media Center Drive**
373 **Los Angeles, CA 90065**
374 **Attn: Staff Engineer**

375
376 E. **IU** shall submit all self-monitoring reports, **including**
377 **periodic and enforcement self-monitoring reports**, to the
378 following address:

379 **City of Los Angeles/LA Sanitation and Environment**
380 **Industrial Waste Management Division**
381 **2714 Media Center Drive**
382 **Los Angeles, CA 90039**
383 **Attn: Information Systems Support Squad**

384 **IU'S RIGHTS AND RESPONSIBILITIES**

- 385
- 386 1. **IU** shall be responsible for all cost recovery charges assessed
- 387 due to sampling, testing, inspection, engineering, and
- 388 administrative enforcement actions conducted as a result of
- 389 this order.
- 390
- 391 2. Failure to comply with the terms of this order shall
- 392 constitute a further violation of the City's Ordinance and
- 393 may subject **IU** to civil or criminal penalties or such other
- 394 enforcement actions as may be appropriate.
- 395
- 396 3. Pursuant to the City's Ordinance, Section 64.30.E.3.(e), **IU**
- 397 has the right to have this matter heard before the Board of
- 398 Public Works. **IU** may file a request for a hearing by
- 399 contacting the Permitting and Enforcement Environmental
- 400 Engineer at (323) 342-6098. Filing of such a request will not
- 401 stay the terms of this order; however, it will provide **IU**
- 402 with the opportunity for a hearing before the Board. At the
- 403 conclusion of the hearing, the Board shall make a
- 404 determination whether to uphold or modify the terms of this
- 405 order, or the Board may take other enforcement actions as
- 406 deemed necessary.
- 407
- 408

409 **SIGNATORIES**

410

411 This order takes effect upon signature.

412

413

414

415 Signed: _____ Date: _____

416

417 [Manager Name]

418 Industrial Waste Management Division

419 LA Sanitation and Environment

420 City of Los Angeles

COMPLIANCE ORDER SCHEDULE

IU NAME
IU ADDRESS

INDUSTRIAL USER NO. IUXXXXXX
INDUSTRIAL WASTEWATER PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

<u>COMPLIANCE ORDER REQUIREMENTS</u>	<u>DUE DATE</u>
1. Achieve Interim Compliance	Month day, year
2. Submit Notice of Compliance/Noncompliance	Month day, year
3. Submit Engineering Plan	Month day, year
4. Implement Engineering Plan	Month day, year
5. Submit Pollution Prevention Plan	Month day, year
6. Implement Pollution Prevention Plan	Month day, year
7. Submit Operation and Maintenance Manual	Month day, year
8. Submit Enforcement Self-Monitoring Reports (SMR):	
For Month day, year to Month day, year	Month day, year
For Month day, year to Month day, year	Month day, year
For Month day, year to Month day, year	Month day, year
For Month day, year to Month day, year	Month day, year
For Month day, year to Month day, year	Month day, year
9. Submit Monthly Progress Reports:	
1st report for Month year	Month day, year
2nd report for Month year	Month day, year
3rd report for Month year	Month day, year
4th report for Month year	Month day, year
5th report for Month year	Month day, year
10. <u>Final Compliance Deadline</u>	<u>Month day, year</u>

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF TERMINATION OF ENFORCEMENT ACTION (NCSIU)

The corrective actions taken by IU and the subsequent compliance with discharge standards and other Compliance Order requirements have been duly noted by LA Sanitation and Environment. As a result, effective Date, IU is hereby notified of the termination of enforcement actions under Industrial Wastewater Permit No. W-XXXXXX and the return to routine status.

IU is no longer subject to the increased enforcement monitoring frequency. IU, however, must continue to self-monitor according to its periodic self-monitoring frequency, and maintain compliance with all permit conditions as stated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any further violations of Industrial Wastewater Permit No. W-XXXXXX will result in additional self-monitoring requirements and may also subject IU to escalated enforcement action, including permit suspension or revocation. In addition,

pursuant to the Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

(Exhibit 5)

Compliance Order

Local Industrial User

(LIU)

Date

IU Name
IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX
Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF COMPLIANCE MEETING (LIU)

A review of **IU's** compliance history indicates continued violations of conditions contained in Industrial Wastewater Permit No. W-XXXXXX and Section 64.30 of the Los Angeles Municipal Code.

(Discuss IU's violations and NOVs issued to IU)

As a result, **IU** is hereby required to attend a Compliance Meeting with the **LA Sanitation and Environment**, Industrial Waste Management Division. Attached is a Draft Compliance Order requiring **IU** to take necessary corrective actions and achieve consistent compliance with all conditions of Industrial Wastewater Permit No. W-XXXXXX. This order is proposed to ensure that compliance with all local and federal pretreatment standards is achieved and maintained.

The Compliance Meeting will be held on **Day, Date** at **time** in the Industrial Waste Management Division headquarters located at **2714 Media Center Drive, Los Angeles, CA.** The meeting will be informal

in nature and must be attended by **IU's** management and operations staff. **IU** should be prepared to present a plan of corrective actions and installation of any necessary pretreatment equipment to ensure that full and permanent compliance will be achieved and maintained.

At the conclusion of the meeting, the City will make a determination whether to modify the order based on the information presented, or to issue the order as proposed.

Failure to attend the Compliance Meeting will result in final issuance of the Compliance Order without discussion with **IU**. In addition, failure to achieve compliance will lead to escalated enforcement action and may result in permit suspension or revocation. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject **IU** to civil penalties of up to \$25,000 a day for each violation.

To confirm attendance of the scheduled Compliance Meeting, or if there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

Date

IU Name
IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX
Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

ISSUANCE OF COMPLIANCE ORDER (LIU)

A Compliance Meeting was held on Date with LA Sanitation and Environment (LASAN), Industrial Waste Management Division staff and IU to discuss IU's noncompliance with conditions of Industrial Wastewater Permit No. W-XXXXXX and the proposed Compliance Order issued on Date.

At this meeting, IU's proposal of corrective actions was discussed.
(Discuss specifics of IU's proposal)

It is LASAN's decision that these corrective actions must be taken by IU. Therefore, the attached Compliance Order is hereby issued and finalized.

Be aware that failure to achieve and maintain compliance with pretreatment standards and permit conditions and/or failure to comply with the requirements of this Compliance Order will lead to escalated enforcement action and may result in permit suspension or revocation. This case may also be referred to the City

Attorney's Office for civil/criminal filing which could subject **IU** to civil penalties of up to \$25,000 a day for each violation.

In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LA SANITATION AND ENVIRONMENT
INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name

IU Address

INDUSTRIAL USER NO. IUXXXXXX

INDUSTRIAL WASTEWATER

PERMIT NO. W-XXXXXX

CASE No. XXXXXX

*
*
*
*
*
*
*
*
*

COMPLIANCE
ORDER

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, LA Sanitation and Environment, under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the LA Sanitation and Environment, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the LA Sanitation and Environment finds that IU is in violation of conditions contained in Industrial Wastewater Permit No. W-XXXXXX.

This finding is made on the basis of the following facts:

1. IU was issued Industrial Wastewater Permit No. W-XXXXXX on (Date), which prohibits discharge of industrial waste in violation of the City's Ordinance or regulations of the Board of Public Works made pursuant thereto;
2. IU is a Local Industrial User (LIU) with an average industrial wastewater flow of (XXXX) gpd;

- 46 3. **IU** operates a facility involved in (process description) and
47 discharges non-domestic wastewater containing pollutants to
48 the sanitary sewer system of the City of Los Angeles;
49
- 50 4. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8)
51 prohibits the discharge of any material which will cause the
52 City to violate its National Pollution Discharge Elimination
53 System Permits, applicable Federal and State statutes, rules,
54 or regulations;
55
- 56 5. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes
57 it unlawful to introduce wastewater to the City's sewer system
58 that exceeds listed specific pollutant limitations or other
59 more restrictive limitations imposed by permit conditions;
60
- 61 6. Pursuant to the City's Ordinance, Section 64.30.E.9.(c) makes
62 it unlawful for any person to violate any provision of the
63 City's Ordinance or any term or condition of any permit issued
64 pursuant thereto; and
65
- 66 7. Pursuant to the City's Ordinance and above referenced permit,
67 data has been routinely collected or submitted on the
68 compliance status of **IU**.

69 **FINDINGS OF VIOLATION**

70
71 City Records show that **IU** has violated its permit conditions and
72 the City's Ordinance in the following manner:

- 73
74 1. **IU** exceeded instantaneous maximum discharge standards **number**
75 **(#)** times for a total of **number (#)** days of violation, as
76 shown below.

77
78 **DISCHARGE LIMIT VIOLATIONS**

79
80

SAMPLE DATE	SAMPLE TYPE	PARA- METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE DAYS	NOV#
	POTW-G				IM 1	
	POTW-G				IM 1	

81

82
83
84 IM - Instantaneous Maximum (Local Limit, LAMC 64.30)
85 NOV# - Notice of Violation Number
86 POTW-G - Grab Sample collected by the City
87 (Note: Abbreviations not used may be deleted from the order)
88
89
90
91
92
93

94 **FINDINGS OF VIOLATION SUBSEQUENT**
95 **TO ISSUANCE OF CEASE AND DESIST ORDER**

96
97 Based upon the above Findings of Violation, **IU** was issued a Cease
98 and Desist Order on (Date) requiring that consistent compliance be
99 achieved and maintained by (Date). As part of this order, **IU** was
100 required to conduct additional self-monitoring. Multi-day
101 sampling of **(IU's)** discharge was also performed by the City from
102 (period of time).
103

104 This data shows that **IU** has continued to violate the City's
105 Ordinance and the terms of the Cease and Desist Order in the
106 following manner:

- 107
108 1. **IU** has exceeded instantaneous maximum discharge standards
109 subsequent to issuance of the Cease and Desist Order **number**
110 **(#)** times for a total of **number (#)** days of violation, as
111 shown below.

CEASE AND DESIST ORDER
DISCHARGE LIMIT VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA- METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
	POTW-G				IM	1	
	POTW-G				IM	1	

[Note: list violations which have occurred subsequent to issuance of the Cease and Desist Order.]

IM - Instantaneous Maximum (Local Limit, LAMC 64.30)
IU-G - Grab Sample collected by IU
NOV# - Notice of Violation Number
POTW-G - Grab Sample collected by the City
(Note: Abbreviations not used may be deleted from the order)

2. **IU** has violated its reporting requirements during the term of the Cease and Desist Order, as shown below.

CEASE AND DESIST ORDER
REPORTING VIOLATIONS

REPORTING PERIOD	DUE DATE	VIOLATION TYPE	NOV#
MONTH-MONTH YR	MONTH DAY, YR	FS	XXXXXXXX

IS - Incomplete Self-Monitoring Report
FES - Failure to Submit Enforcement Self-Monitoring Report
NOV# - Notice of Violation Number
(Note: Abbreviations not used may be deleted from the order)

Based upon the above Findings of Violation, **IU** is/was required to attend a Compliance Meeting with City staff on Date to discuss the issue of noncompliance with the Cease and Desist Order requirements/permit conditions and further corrective actions to be taken such that full and permanent compliance would be achieved. (Use whichever applicable/appropriate)

COMPLIANCE ORDER

THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION, IU
IS HEREBY ORDERED TO:

1. ACHIEVE INTERIM COMPLIANCE

- A. By 30 days from date of order, IU shall take appropriate corrective actions necessary to achieve interim compliance with discharge standards stipulated in Industrial Wastewater Permit No. W-XXXXXX.
- B. By 45 days from date of order, IU shall submit a notice indicating whether compliance has been achieved and describing actions taken in response to item 1.A of this order.

2. MAINTAIN CONSISTENT COMPLIANCE

By 90/120 days from date of order, IU shall take all corrective actions necessary such that IU's wastewater discharge is in full and permanent compliance with all provisions of Industrial Wastewater Permit No. W-XXXXXX.

[Note: if 120 day deadline is applied, all other later date options must also be applied.]

3. SUBMIT ENGINEERING PLAN

By 30 days from date of order, IU shall submit an engineering plan. This plan shall outline the steps to be taken to maintain consistent and permanent compliance and shall include the following:

- A. A detailed description of the proposed pretreatment system; including design criteria, chemistry of treatment, process flow diagram, equipment to be installed, and construction or modifications to be implemented;
- B. A cost estimate for all corrective actions to be implemented including a breakdown of capital and labor expenses for major items of the work;
- C. A description of operation and maintenance procedures to be implemented; and
- D. A schedule of compliance, not to exceed beyond 90/120

196 **days from date of order** that includes the following
197 dates:

- 198 (1) The beginning and ending dates of any construction
199 or installation of equipment; and
- 200 (2) The dates new operation and maintenance procedures
201 will take effect.
202

203 **4. IMPLEMENT ENGINEERING PLAN**
204

205 By **60/90 days from date of order**, **IU** shall complete the
206 installation of all pretreatment equipment and other
207 construction, additions, or modifications as outlined in the
208 engineering plan.
209

210 **5. SUBMIT POLLUTION PREVENTION PLAN**
211

212 A. By **30 days from date of order**, **IU** shall submit a
213 pollution prevention plan. This plan shall evaluate the
214 following *pollution prevention/source reduction*
215 *technologies*:

- 216 (1) Wastewater flow reduction;
- 217 (2) Raw material changes to avoid or eliminate
218 pollutants that enter wastestreams;
- 219 (3) Improving operational practices including, but not
220 limited to, recycling loss prevention, waste
221 segregation, production scheduling, maintenance
222 operations and overall site management;
- 223 (4) Process changes or equipment modifications to
224 reduce the usage and production of hazardous
225 wastestreams; and
- 226 (5) Recovery and re-use of generated wastestreams.
227

228 B. The plan shall also address *management issues* such as
229 inventory control, employee training, in-house policies,
230 increasing supervisory teams, corporate or management
231 commitment, and other programs or measures to improve
232 waste management practices.
233

234 C. Those items selected for implementation shall be
235 identified along with the following information:

- 236 (1) Schedule of implementation
- 237 (2) Estimate of capital cost
- 238 (3) Estimate of the annual cost savings
- 239 (4) Justification for the options not selected
240
241
242

243 6. IMPLEMENT POLLUTION PREVENTION PLAN

244
245 By 60/90 days from date of order, IU shall complete all
246 pollution prevention and source control procedures as
247 outlined in the pollution prevention plan.
248

249 7. CONDUCT SELF-MONITORING

- 250
251 A. Once per month/In the first and third week of each month,
252 beginning (date of order), until the engineering and
253 pollution prevention plans are fully implemented, IU
254 shall collect grab samples of its discharge and analyze
255 for (list all applicable locally regulated parameters).
256
257 B. Once per week, following complete implementation of the
258 engineering and pollution prevention plans, beginning
259 Date, for a period of four weeks, IU shall collect grab
260 samples of its discharge and analyze for (list all
261 applicable locally regulated parameters).
262
263 C. All sample analyses shall be performed by an independent
264 laboratory using EPA approved analytical methods and
265 shall be representative of discharge to the sewer.
266
267 D. All samples shall be taken from Sample Point XX,
268 (description of the sample point).
269
270 E. IU shall prenotify Staff Engineer, at phone number, 48
271 hours prior to any self-monitoring performed.
272
273 F. All self-monitoring performed as required by this order
274 shall be reported on the laboratory report form.
275
276 G. If results of any sample analysis indicate exceedences
277 of discharge standards, IU shall notify Staff Engineer,
278 at phone number, within 24 hours of becoming aware of
279 the violation.
280

281 8. SUBMIT OPERATION AND MAINTENANCE MANUAL

282
283 By 105/135 days from date of order, IU shall submit an
284 Operation and Maintenance Manual which includes the following
285 documentation:
286

- 287 (1) Design Considerations
288 (2) Waste/Wastewater Sources
289 (3) Chemistry of Treatment
290 (4) Wastewater Treatment Process Flow Diagram
291 (5) Pretreatment Unit Operation Procedures

- (6) Chemical Preparations
- (7) Troubleshooting
- (8) Manufacturer's Literature
- (9) Daily Logbook

9. **SUBMIT REQUIRED INFORMATION AND REPORTS**

A. **IU** shall submit all self-monitoring results required by this order no later than the 15th day of the month following the date of sampling, as described in the attached/compliance schedule.

B. **IU** shall submit monthly progress reports no later than the 15th day of the month following the month covered by the report, as described in the attached/compliance schedule. The progress reports shall include a notice of compliance/noncompliance regarding any increment of progress, which was to be met within that month. In the event **IU** fails to comply with any of the dates specified in the schedule of compliance, **IU** shall describe the reasons for failure to comply, the additional amount of time needed to complete the remaining work, and the steps to be taken to avoid future delays. This in no way excuses **IU** from its responsibility to meet any later milestones as specified in the compliance schedule.

C. Every submittal shall be signed by an executive officer of **IU** and shall include the following statement:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that all information is true and all wastewater samples analyzed and reported herein are representative of the ordinary process wastewater flow from this facility. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

D. Every submittal required by this Compliance Order shall be sent to the following address:

**City of Los Angeles/LA Sanitation and Environment
Industrial Waste Management Division
2714 Media Center Drive
Los Angeles, CA 90065
Attn: Staff Engineer**

337 **IU'S RIGHTS AND RESPONSIBILITIES**

- 338
- 339 1. **IU** shall be responsible for all cost recovery charges assessed
- 340 due to sampling, testing, inspection, engineering, and
- 341 administrative enforcement actions conducted as a result of
- 342 this order.
- 343
- 344 2. Failure to comply with the terms of this order shall
- 345 constitute a further violation of the City's Ordinance and
- 346 may subject **IU** to civil or criminal penalties or such other
- 347 enforcement actions as may be appropriate.
- 348
- 349 3. Pursuant to the City's Ordinance, Section 64.30.E.3.(e), **IU**
- 350 has the right to have this matter heard before the Board of
- 351 Public Works. **IU** may file a request for a hearing by
- 352 contacting the Permitting and Enforcement Environmental
- 353 Engineer at (323) 342-6098. Filing of such a request will not
- 354 stay the terms of this order; however, it will provide **IU**
- 355 with the opportunity for a hearing before the Board. At the
- 356 conclusion of the hearing, the Board shall make a
- 357 determination whether to uphold or modify the terms of this
- 358 order, or the Board may take other enforcement actions as
- 359 deemed necessary.
- 360

361

362 **SIGNATORIES**

363

364 This order takes effect upon signature.

365

366 Signed: _____ Date: _____

367

368 [Manager Name]

369 Industrial Waste Management Division

370 LA Sanitation and Environment

371 City of Los Angeles

372

COMPLIANCE ORDER SCHEDULE

IU NAME
IU ADDRESS

INDUSTRIAL USER NO. IUXXXXXX
INDUSTRIAL WASTEWATER PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

<u>COMPLIANCE ORDER REQUIREMENTS</u>	<u>DUE DATE</u>
1. Achieve Interim Compliance	Month day, year
2. Submit Notice of Compliance/Noncompliance	Month day, year
3. Submit Engineering Plan	Month day, year
4. Implement Engineering Plan	Month day, year
5. Submit Pollution Prevention Plan	Month day, year
6. Implement Pollution Prevention Plan	Month day, year
7. Submit Operation and Maintenance Manual	Month day, year
8. Submit Enforcement Self-Monitoring Reports (SMR):	
For Month day, year to Month day, year	Month day, year
For Month day, year to Month day, year	Month day, year
For Month day, year to Month day, year	Month day, year
For Month day, year to Month day, year	Month day, year
For Month day, year to Month day, year	Month day, year
9. Submit Monthly Progress Reports:	
1st report for Month year	Month day, year
2nd report for Month year	Month day, year
3rd report for Month year	Month day, year
4th report for Month year	Month day, year
5th report for Month year	Month day, year
10. <u>Final Compliance Deadline</u>	<u>Month day, year</u>

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF TERMINATION OF ENFORCEMENT ACTION (LIU)

The corrective actions taken by IU and the subsequent compliance with discharge standards and other Compliance Order requirements have been duly noted by LA Sanitation and Environment. As a result, effective Date, IU is hereby notified of the termination of enforcement actions under Industrial Wastewater Permit No. W-XXXXXX and the return to routine status.

IU is no longer subject to the enforcement monitoring. IU, however, must maintain compliance with all permit conditions as stated in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that any further violations of Industrial Wastewater Permit No. W-XXXXXX will result in additional self-monitoring requirements and may also subject IU to escalated enforcement action, including permit suspension or revocation. Further violations of Industrial Wastewater Permit No. W-XXXXXX may

subject **IU** to increased inspection frequency, and consequently higher inspection and control fees.

In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

EXHIBIT 6

PERMIT SUSPENSION ORDER DOCUMENTS

Date

IU Name
IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX
Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF SHOW CAUSE PERMIT SUSPENSION HEARING

IU was issued a Compliance Order on Date requiring that IU achieve and maintain compliance with Industrial Wastewater Permit No. W-XXXXXX by Date. The final inspection and sampling recently conducted by the City/IU, however, indicate that IU has failed to meet the requirements as stipulated in the Compliance Order.

(Provide details of final inspection and sampling as applicable)

As a result and pursuant to Section 64.30.E.1 of the Los Angeles Municipal Code, IU is hereby notified of the LA Sanitation and Environment's intent to suspend Industrial Wastewater Permit No. W-XXXXXX.

Attached is a proposed Permit Suspension Order. If finalized, this order will suspend IU's permit, and require IU to cease and desist from further discharge of industrial wastewater to the City's sewer system.

IU is hereby required to attend a Show Cause Permit Suspension Hearing with the **LA Sanitation and Environment**, Industrial Waste Management Division. The meeting will be held on **Day, Date** at **time** in the Industrial Waste Management Division headquarters located at **2714 Media Center Drive, Los Angeles, CA.** The meeting must be attended by **IU's** management and operations staff. **IU** should be prepared to show cause why the permit should not be suspended and present proof that full and permanent compliance with discharge standards has been achieved and will be maintained.

At the conclusion of the meeting, the City will make a determination, based on the information presented, whether to suspend **IU's** permit.

Failure to attend the meeting will result in final issuance of the Permit Suspension Order. In addition, failure to achieve compliance will lead to escalated enforcement action such as permit revocation and service termination. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject IU to civil penalties of up to \$25,000 a day for each violation.

To confirm attendance of the scheduled meeting or if there are any questions regarding this matter, please contact **Staff Engineer**, of my staff, at **phone number**.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

ISSUANCE OF PERMIT SUSPENSION ORDER (CIU and NCSIU)

A Show Cause Permit Suspension Hearing was conducted with LA Sanitation and Environment, Industrial Waste Management Division staff and IU on Date. The purpose of this meeting was to discuss the Draft Permit Suspension Order issued on Date and to allow IU the opportunity to show cause why Industrial Wastewater Permit No. W-XXXXXX should not be suspended.

Based upon discussion at this meeting, it is the City's determination that IU was unable to show that sufficient corrective actions have been taken such that full and permanent compliance with permit conditions has been achieved and can be maintained. As a result, Industrial Wastewater Permit No. W-XXXXXX is hereby suspended, and effective Date, the attached Permit Suspension Order to cease all further industrial wastewater discharge is finalized and issued.

As specified in the order, **IU** is required to submit a notice of discharge cessation by **Date**. (three days from date of order)

Discharge privileges may be reinstated only upon submittal of a Notice of Compliance and report documenting additional corrective actions taken such that full and permanent compliance with Industrial Wastewater Permit No. W-XXXXXX will be maintained.

Lifting of the suspension is contingent upon the Bureau's satisfactory evaluation of the adequacy of those corrective actions taken.

Failure to comply with the terms of this Permit Suspension Order will subject **IU** to escalated enforcement action such as permit revocation and service termination. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject **IU** to civil penalties of up to \$25,000 a day for each violation. In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LA SANITATION AND ENVIRONMENT
INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name

IU Address

INDUSTRIAL USER NO. IUXXXXXX

INDUSTRIAL WASTEWATER

PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

PERMIT SUSPENSION
ORDER

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, LA Sanitation and Environment, under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the LA Sanitation and Environment, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the LA Sanitation and Environment finds that IU is in violation of the conditions contained in Industrial Wastewater Permit No. W-XXXXXX.

This finding is made on the basis of the following facts:

1. IU was issued Industrial Wastewater Permit No. W-XXXXXX, on Date, which prohibited discharge of industrial waste in violation of the City's Ordinance or regulations of the Board of Public Works made pursuant thereto;
2. IU's Industrial Wastewater Permit No. W-XXXXXX was most recently amended/renewed on Date;
(Use this statement if applicable)
3. IU is classified under Categorical Industrial User (CIU)/Non-Categorical Significant Industrial User (NCSIU) Group SIXX with an average industrial wastewater flow of XXXX gpd;
(Use IU classification as appropriate)

- 51 4. **IU** operates a facility involved in (*process description*) and
52 discharges non-domestic wastewater containing pollutants to
53 the sanitary sewer system of the City of Los Angeles;
54
- 55 5. **IU** is a "significant industrial user" as defined by Part
56 403.3(v)(1)(i)/(ii) [*use (ii) if IU is NCSIU*] of Title 40 of
57 the Code of Federal Regulations (40 CFR), and is subject to
58 general pretreatment standards and National Categorical
59 Pretreatment Standards as promulgated by the EPA in 40 CFR
60 403 and 4XX;
61 (*only use highlighted portion and two sections below if IU is*
62 *categorical*)
63
- 64 6. Pursuant to 40 CFR 4XX, any existing/new source (describe
65 process) operation, discharging less/more than 10,000 gallons
66 a day (413 only), must comply with the daily maximum and
67 monthly/4-day(413 only) average discharge limits for (**list**
68 **all federally regulated parameters**) set forth in 40 CFR 4XX
69 by the (Date, final compliance deadline/within 90 days of
70 commencement of discharge);
71
- 72 7. Pursuant to 40 CFR 4XX, any existing/new source (describe
73 process) operation must also comply with the daily maximum
74 discharge limit for **total toxic organics** set forth in 40 CFR
75 4XX by the (Date, final compliance deadline/within 90 days of
76 commencement of discharge);
77
- 78 8. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8)
79 prohibits the discharge of any material which will cause the
80 City to violate its National Pollution Discharge Elimination
81 System Permits, applicable Federal and State statutes, rules,
82 or regulations;
83
- 84 9. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes
85 it unlawful to introduce wastewater to the City's sewer system
86 that exceeds listed specific pollutant limitations or other
87 more restrictive limitations imposed by permit conditions or
88 National Categorical Pretreatment Standards;
89
- 90 10. Pursuant to the City's Ordinance, Section 64.30.E.9.(c) makes
91 it unlawful for any person to violate any provision of the
92 City's Ordinance or any term or condition of any permit issued
93 pursuant thereto; and
94
- 95 11. Pursuant to the City's Ordinance and above referenced permit,
96 data has been routinely collected or submitted on the
97 compliance status of **IU**.

FINDINGS OF VIOLATION

City records show that **IU** violated its permit conditions and the City's Ordinance in the following manner:

1. **IU** exceeded instantaneous maximum, daily maximum, and/or monthly/4-day (413 only) average discharge standards **number (#)** times for a total of **number (#)** days of violation, as shown below.

DISCHARGE LIMIT VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA-METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
	POTW-G				IM	1	
	POTW-C				DM	1	
	IU-G				DM	1	
	IU-C				MA	30	

4D	-	4-Day Average (Pretreatment Stds, 40 CFR 413)
CPS	-	Average of Combined City and IU Results
DM	-	Daily Maximum (Pretreatment Stds, 40 CFR 4XX)
IM	-	Instantaneous Maximum (Local Limit, LAMC 64.30)
IU-C	-	Composite Sample collected by IU
IU-G	-	Grab Sample collected by IU
MA	-	Monthly Average (Pretreatment Stds, 40 CFR 4XX)
NOV#	-	Notice of Violation Number
POTW-C	-	Composite Sample collected by the City
POTW-G	-	Grab Sample collected by the City
(Note: Abbreviations not used may be deleted from the order)		

2. **IU** violated reporting requirements, as shown below.

REPORTING VIOLATIONS

REPORTING PERIOD	DUE DATE	VIOLATION TYPE	NOV#
MONTH-MONTH YR	MONTH DAY, YR	FS	XXXXX

DS	-	Delinquent Self-Monitoring Report
IS	-	Incomplete Self-Monitoring Report
FAO	-	Failure to Submit (Type of Admin. Order Report)
FES	-	Failure to Submit Enforcement Self-Monitoring Report
FPI	-	Failure to Submit Permitting Information
FPN	-	Failure to Pre-notify
FS	-	Failure to Submit Self-Monitoring Report
NOV#	-	Notice of Violation Number
(Note: Abbreviations not used may be deleted from the order)		

**FINDINGS OF VIOLATION SUBSEQUENT TO
ISSUANCE OF CEASE AND DESIST ORDER**

Based upon the above Findings of Violation, **IU** was issued a Cease and Desist Order on **Date** requiring that consistent compliance be achieved and maintained by **Date**. As part of this order, **IU** was required to conduct additional self-monitoring. Multi-day sampling of **IU's** discharge was also performed by the City from (period of time).

This data shows that **IU** continued to violate the City's Ordinance and the terms of the Cease and Desist Order in the following manner:

1. **IU** exceeded instantaneous maximum, daily maximum, and/or monthly/4-day(413 only) average discharge standards subsequent to issuance of the Cease and Desist Order **number (#)** times for a total of **number (#)** days of violation, as shown below.

CEASE AND DESIST ORDER
DISCHARGE LIMIT VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA-METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
	POTW-G				IM	1	
	POTW-C				DM	1	
	IU-G				DM	1	
	IU-C				MA	30	

[Note: list violations which have occurred during the term of the Cease and Desist Order.]

4D	-	4-Day Average (Pretreatment Stds, 40 CFR 413)
CPS	-	Average of Combined City and IU Results
DM	-	Daily Maximum (Pretreatment Stds, 40 CFR 4XX)
IM	-	Instantaneous Maximum (Local Limit, LAMC 64.30)
IU-C	-	Composite Sample collected by IU
IU-G	-	Grab Sample collected by IU
MA	-	Monthly Average (Pretreatment Stds, 40 CFR 4XX)
NOV#	-	Notice of Violation Number
POTW-C	-	Composite Sample collected by the City
POTW-G	-	Grab Sample collected by the City

(Note: Abbreviations not used may be deleted from the order)

2. **IU** violated reporting requirements during the term of the Cease and Desist Order in the following manner:

CEASE AND DESIST ORDER
REPORTING VIOLATIONS

REPORTING PERIOD	DUE DATE	VIOLATION TYPE	NOV#
MONTH-MONTH YR	MONTH DAY, YR	FS	XXXXXX

DS - Delinquent Self-Monitoring Report
IS - Incomplete Self-Monitoring Report
FAO - Failure to Submit (Type of Admin. Order Report)
FES - Failure to Submit Enforcement Self-Monitoring Report
FPI - Failure to Submit Permitting Information
FPN - Failure to Pre-notify
FS - Failure to Submit Self-Monitoring Report
NOV# - Notice of Violation Number
(Note: Abbreviations not used may be deleted from the order)

FINDINGS OF VIOLATION
SUBSEQUENT TO ISSUANCE OF COMPLIANCE ORDER

Based upon the above Findings of Violation, **IU** was required to attend a Compliance Meeting with City staff on **Date** to discuss the issue of non-compliance with the Cease and Desist Order requirements. Subsequent to this meeting, **IU** was issued a Compliance Order establishing **Date** as the final deadline to maintain full and permanent compliance with discharge standards. As part of this order, **IU** was also required to conduct additional self-monitoring.

Following the deadline for compliance as established in the Compliance Order, the City performed multi-day sampling of **IU's** discharge from (period of time). This data shows that **IU** has continued to violate the City's Ordinance and the terms of the Compliance Order in the following manner:

1. **IU** has exceeded instantaneous maximum, daily maximum, and/or monthly/4-day(413 only) average discharge standards subsequent to issuance of the Compliance Order **number (#)** times for a total of **number (#)** days of violation, as shown below.

COMPLIANCE ORDER
DISCHARGE LIMIT VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA- METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE DAYS	NOV#
	POTW-G				IM 1	
	POTW-C				DM 1	
	IU-G				DM 1	
	IU-C				MA 30	

[Note: list violations which have occurred subsequent to issuance of the Compliance Order.]

4D	-	4-Day Average (Pretreatment Stds, 40 CFR 413)
CPS	-	Average of Combined City and IU Results
DM	-	Daily Maximum (Pretreatment Stds, 40 CFR 4XX)
IM	-	Instantaneous Maximum (Local Limit, LAMC 64.30)
IU-C	-	Composite Sample collected by IU
IU-G	-	Grab Sample collected by IU
MA	-	Monthly Average (Pretreatment Stds, 40 CFR 4XX)
NOV#	-	Notice of Violation Number
POTW-C	-	Composite Sample collected by the City
POTW-G	-	Grab Sample collected by the City

(Note: Abbreviations not used may be deleted from the order)

2. **IU** has continued to violate reporting requirement during the term of the Compliance Order, as shown below.

COMPLIANCE ORDER
REPORTING VIOLATIONS

REPORTING PERIOD	DUE DATE	VIOLATION TYPE	NOV#
MONTH-MONTH YR	MONTH DAY, YR	FS	XXXXXX
DS	-	Delinquent Self-Monitoring Report	
IS	-	Incomplete Self-Monitoring Report	
FAO	-	Failure to Submit (Type of Admin. Order Report)	
FES	-	Failure to Submit Enforcement Self-Monitoring Report	
FPI	-	Failure to Submit Permitting Information	
FPN	-	Failure to Pre-notify	
FS	-	Failure to Submit Self-Monitoring Report	
NOV#	-	Notice of Violation Number	
(Note: Abbreviations not used may be deleted from the order)			

3. **IU** has exceeded criteria for significant non-compliance as defined in 40 CFR 403.8(f)(2)(vii).
(Use this section if applicable)

Based upon the above Findings of Violation, **IU** is required to attend a Show Cause Permit Suspension Hearing with City staff on **Date**. The purpose of this meeting is to allow **IU** the opportunity to show cause why Industrial Wastewater Permit No. **W-XXXXXX** should not be suspended.

(Use this paragraph only when Draft Permit Suspension Order is issued to IU)

Based upon the above Findings of Violation, **IU** was required to attend a Show Cause Permit Suspension Hearing with City staff on **Date**. At this meeting, **IU** was unable to show cause why Industrial Wastewater Permit No. **W-XXXXXX** should not be suspended.

(Use this paragraph only if final Permit Suspension Order is issued to IU)

290 **PERMIT SUSPENSION ORDER**

291
292 THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF VIOLATION,
293 INDUSTRIAL WASTEWATER PERMIT NO. W-XXXXXX IS HEREBY SUSPENDED AND
294 IU IS HEREBY ORDERED TO:

295
296
297 **1. CEASE AND DESIST DISCHARGE OF INDUSTRIAL WASTEWATER**

298
299 By date of order/Effective immediately, IU shall cease and
300 desist from all further discharge of industrial wastewater to
301 the City's sewer system.

302
303 **2. SUBMIT REQUIRED INFORMATION**

304
305 A. By three days from date of order, IU shall submit a
306 notice indicating cessation of discharge of industrial
307 wastewater into the City's sewer system and actions
308 taken to achieve compliance with item 1 of this order.

309
310 B. The required notice shall be signed by an executive
311 officer of IU and shall include the following statement:

312
313 I certify under penalty of law that the above statement is true and that all industrial
314 wastewater discharge to the City of Los Angeles sewer system has ceased. I am
315 aware that there are significant penalties for submitting false information, including
316 the possibility of fine and imprisonment for knowing violations.

317
318 C. The required notice shall be sent to the following
319 address:

320
321 ***City of Los Angeles/LA Sanitation and Environment***
322 ***Industrial Waste Management Division***
323 ***2714 Media Center Drive***
324 ***Los Angeles, CA 90065***

325
326 Attn: ***Staff Engineer***

327 **IU'S RIGHTS AND RESPONSIBILITIES**

- 328
- 329 1. **IU** shall be responsible for all cost recovery charges assessed
- 330 due to sampling, testing, inspection, engineering, and
- 331 administrative enforcement actions conducted as a result of
- 332 this order.
- 333
- 334 2. This order suspends all industrial wastewater discharge
- 335 privileges, but does not constitute a waiver of other
- 336 conditions of Industrial Wastewater Permit No. **W-XXXXXX**,
- 337 which remain in full force and effect. The City of Los Angeles
- 338 reserves the right to seek any and all remedies available to
- 339 it under Section 64.30 of the City's Ordinance for any
- 340 violations cited by, or subsequent to this order.
- 341
- 342 3. Failure to comply with this order shall constitute a further
- 343 violation of the City's Ordinance and may subject **IU** to civil
- 344 or criminal penalties or such other enforcement actions as
- 345 may be appropriate.
- 346
- 347 4. Pursuant to the City's Ordinance, Section 64.30.E.3.(e), **IU**
- 348 has the right to have this matter heard before the Board of
- 349 Public Works. **IU** may file a request for a hearing, by
- 350 contacting the Permitting and Enforcement Environmental
- 351 Engineer at (323) 342-6098. Filing of such a request will not
- 352 stay a suspension, however it will provide **IU** with the
- 353 opportunity for a hearing within 14 days of such filing. At
- 354 the conclusion of the hearing, the Board shall make a
- 355 determination whether to terminate, or conditionally
- 356 terminate the suspension, or the Board may cause the permit
- 357 to be revoked.
- 358
- 359

360 **SIGNATORIES**

361

362 This order takes effect upon signature.

363

364 Signed: _____ Date: _____

365

366 [Manager Name]

367 Industrial Waste Management Division

368 LA Sanitation and Environment

369 City of Los Angeles

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF CONDITIONAL PERMIT REINSTATEMENT

On Date, Industrial Wastewater Permit No. W-XXXXXX was suspended requiring that all industrial wastewater discharge to the City sewer system be ceased. **IU** has since submitted a Notice of Compliance and report describing additional actions taken to ensure that full and permanent compliance will be maintained. This submittal has been approved by LA Sanitation and Environment.

As a result of the corrective actions taken by **IU**, effective Date, Industrial Wastewater Permit No. W-XXXXXX is hereby conditionally reinstated and discharge privileges are restored.

A final multi-day sampling will be conducted by the City at **IU** in the near future. Should results confirm that **IU** has in fact achieved compliance, **IU** will be returned to routine status and a Notice of Final Permit Reinstatement will be issued.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF FINAL PERMIT REINSTATEMENT

On Date, a Permit Suspension Order was issued to **IU** suspending Industrial Wastewater Permit No. W-XXXXXX. Subsequently, on Date, a Notice of Conditional Permit Reinstatement was issued. Final permit reinstatement was contingent upon results of multi-day sampling conducted by LA Sanitation and Environment.

LA Sanitation and Environment has since performed this sampling and results indicate that compliance has been achieved. Therefore, effective Date, **IU** is hereby notified of the final reinstatement of Industrial Wastewater Permit No. W-XXXXXX, the termination of enforcement actions, and the return to routine status.

Enforcement self-monitoring requirements have also been terminated. However, **IU** must continue with periodic self-monitoring, reported on the appropriate forms, by the required due dates, as specified in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that despite termination of this enforcement case, any future violations of Industrial Wastewater Permit No. W-XXXXXX may subject **IU** to escalated enforcement action, including permit revocation.

In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name]

LA Sanitation and Environment

By:

[Manager Name]

Industrial Waste Management Division

c: SIU Enforcement Section

[Chief Name], Chief Environmental Compliance Inspector II

EXHIBIT 7

IMMINENT HAZARD PERMIT SUSPENSION ORDER DOCUMENTS

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF IMMINENT HAZARD PERMIT SUSPENSION ORDER

On Date, the City of Los Angeles conducted local and/or federal wastewater discharge sampling at IU. Samples taken indicate (constituent) violations at levels, which constitute an imminent hazard to the environment, and public health and safety. As a result, and pursuant to Section 64.30.E.1 of the Los Angeles Municipal Code, the attached Imminent Hazard Permit Suspension Order to immediately cease all further industrial wastewater discharge is issued to IU, and **effective (date/immediately), Industrial Wastewater Permit No. W-XXXXXX is hereby suspended.**

As specified in the order, IU is required to submit a notice of discharge cessation by **Date** [three days from date of order].

IU is also required to attend a Compliance Meeting with LA Sanitation and Environment (LASAN), Industrial Waste Management Division staff. The meeting will be held on **Day, Date** [three days from date of order] at **time** in the Industrial Waste Management

Division headquarters located at **2714 Media Center Drive, Los Angeles, CA.** The meeting must be attended by **IU** management and operations staff. **IU** should be prepared to discuss the cause of violation and corrective actions taken or proposed.

Discharge privileges may be reinstated only upon submittal of a Notice of Compliance and report documenting additional corrective actions taken such that full and permanent compliance with Industrial Wastewater Permit No. **W-XXXXXX** will be maintained.

Lifting of the suspension is contingent upon the **LASAN's** satisfactory evaluation of the adequacy of those corrective actions taken.

Failure to comply with the terms of this Imminent Hazard Permit Suspension Order will subject **IU** to escalated enforcement action such as permit revocation and service termination. This case may also be referred to the City Attorney's Office for civil/criminal filing, which could subject **IU** to civil penalties of up to \$25,000 a day for each violation. In addition, pursuant to Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

To confirm attendance of the scheduled meeting, or if there are any questions regarding this matter, please contact **Staff Engineer**, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LA SANITATION AND ENVIRONMENT
INDUSTRIAL WASTE MANAGEMENT DIVISION

IN THE MATTER OF

IU Name

IU Address

INDUSTRIAL USER NO. IUXXXXXX

INDUSTRIAL WASTEWATER

PERMIT NO. W-XXXXXX

CASE NO. XXXXXX

IMMINENT HAZARD
PERMIT SUSPENSION ORDER

LEGAL AUTHORITY

The following findings and order are made pursuant to authority vested in the Director, LA Sanitation and Environment, under Section 64.30 of the Los Angeles Municipal Code (hereinafter referred to as the City's Ordinance), and rules and regulations adopted by the Board of Public Works pursuant thereto. This authority has been delegated by the Director to the Manager of the LA Sanitation and Environment, Industrial Waste Management Division.

FACTS

The Manager of the Industrial Waste Management Division of the LA Sanitation and Environment finds that IU is in violation of conditions contained in Industrial Wastewater Permit No. W-XXXXXX.

This finding is made on the basis of the following facts:

1. IU was issued Industrial Wastewater Permit No. W-XXXXXX on Date, which prohibits discharge of industrial waste in violation of the City's Ordinance or regulations of the Board of Public Works made pursuant thereto;
2. IU's Industrial wastewater Permit No. W-XXXXXX was most recently amended/renewed on Date;
(Use this section if aplicable)
3. IU is classified under Categorical Industrial User (CIU)/Non-Categorical Significant Industrial User (NCSIU) Group SIXX with an average industrial wastewater flow of XXXX gpd;
(Use IU classification as appropriate)

4. **IU** operates a facility involved in (process description) and discharges non-domestic wastewater containing pollutants to the sanitary sewer system of the City of Los Angeles;
5. **IU** is a "significant industrial user" as defined by Part 403.3(v)(1)(i)/(ii) [use (ii) if IU is NCSIU] of Title 40 of the Code of Federal Regulations (40 CFR), and is subject to general pretreatment standards and National Categorical Pretreatment Standards as promulgated by the EPA in 40 CFR 403 and 4XX;
(only use highlighted portion and two sections below if IU is categorical)
6. Pursuant to 40 CFR 4XX, any existing/new source (describe process) operation, discharging less/more than 10,000 gallons a day (413 only), must comply with the daily maximum and monthly/4-day(413 only) average discharge limits for (**list all federally regulated parameters**) set forth in 40 CFR 4XX by the (Date, final compliance deadline/within 90 days of commencement of discharge);
7. Pursuant to 40 CFR 4XX, any existing/new source (describe process) operation must also comply with the daily maximum discharge limit for **total toxic organics** set forth in 40 CFR 4XX by the (Date, final compliance deadline/within 90 days of commencement of discharge);
8. Pursuant to the City's Ordinance, Section 64.30.B.1.(a)(8) prohibits the discharge of any material which will cause the City to violate its National Pollution Discharge Elimination System Permits, applicable Federal and State statutes, rules, or regulations;
9. Pursuant to the City's Ordinance, Section 64.30.B.2.(a) makes it unlawful to introduce wastewater to the POTW that exceeds listed specific pollutant limitations or other more restrictive limitations imposed by permit conditions or National Categorical Pretreatment Standards;
10. Pursuant to the City's Ordinance, Section 64.30.E.9.(c) makes it unlawful for any person to violate any provision of the City's ordinance or any term or condition of any permit issued pursuant thereto; and
11. Pursuant to the City's Ordinance and above referenced permit, data has been routinely collected or submitted on the compliance status of **IU**.

FINDINGS OF IMMINENT HAZARD

City records show that **IU** violated its permit conditions and the City's Ordinance in the following manner:

IU discharged **(list constituents)** at levels, which present an imminent hazard to the environment, and public health and safety, as shown below.

DISCHARGE LIMIT VIOLATIONS

SAMPLE DATE	SAMPLE TYPE	PARA- METER	ACTUAL (mg/l)	LIMIT (mg/l)	VIOLATION TYPE	DAYS	NOV#
	POTW-G				IM	1	
	POTW-C				DM	1	
	IU-G				DM	1	
	IU-C				MA	30	

4D - 4-Day Average (Pretreatment Stds, 40 CFR 413)
CPS - Average of Combined City and **IU** Results
DM - Daily Maximum (Pretreatment Stds, 40 CFR 4XX)
IM - Instantaneous Maximum (Local Limit, LAMC 64.30)
IU-C - Composite Sample collected by **IU**
IU-G - Grab Sample collected by **IU**
MA - Monthly Average (Pretreatment Stds, 40 CFR 4XX)
NOV# - Notice of Violation Number
POTW-C - Composite Sample collected by the City
POTW-G - Grab Sample collected by the City
(Note: Abbreviations not used may be deleted from the order)

IMMINENT HAZARD PERMIT SUSPENSION ORDER

THEREFORE, BASED ON THE ABOVE FACTS AND FINDINGS OF IMMINENT HAZARD, INDUSTRIAL WASTEWATER PERMIT NO. W-XXXXXX IS HEREBY SUSPENDED AND IU IS HEREBY ORDERED TO:

1. CEASE AND DESIST DISCHARGE OF INDUSTRIAL WASTE

By **Date of order/Effective immediately**, **IU** shall cease and desist from all further discharge of industrial wastewater to the City's sewer system.

2. SUBMIT REQUIRED INFORMATION

A. By **three days from date of order**, **IU** shall submit a notice indicating cessation of discharge of industrial wastewater to the City's sewer system and describing actions taken to achieve compliance with item 1 of this order.

B. The required notice shall be signed by an executive officer of **IU** and shall include the following statement:

I certify under penalty of law that the above statement is true and that all industrial waste discharge to the City of Los Angeles sewer system has ceased. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

C. The required notice shall be sent to the following address:

**City of Los Angeles/LA Sanitation and Environment
Industrial Waste Management Division
2714 Media Center Drive
Los Angeles, CA 90065**

Attn: Staff Engineer

164 **IU'S RIGHTS AND RESPONSIBILITIES**

- 165
- 166 1. **IU** shall be responsible for all cost recovery charges assessed
- 167 due to sampling, testing, inspection, engineering, and
- 168 administrative enforcement actions conducted as a result of
- 169 this order.
- 170
- 171 2. This order suspends all industrial waste discharge
- 172 privileges, but does not constitute a waiver of other
- 173 conditions of Industrial Wastewater Permit No. **W-XXXXXX**,
- 174 which remain in full force and effect. The City of Los
- 175 Angeles reserves the right to seek any and all remedies
- 176 available to it, under Subsections D and E of Section 64.30
- 177 of the City's Ordinance, for any violations cited by, or
- 178 subsequent to this order.
- 179
- 180 3. Failure to comply with this order shall constitute a further
- 181 violation of the City's Ordinance and may subject **IU** to civil
- 182 or criminal penalties or such other enforcement actions as
- 183 may be appropriate.
- 184
- 185 4. Pursuant to the City's Ordinance, Section **64.30.E.3.(e)**, **IU**
- 186 has the right to have this matter heard before the Board of
- 187 Public Works. **IU** may file a request for a hearing, by
- 188 contacting the Permitting and Enforcement Environmental
- 189 Engineer at (323) 342-6098. Filing of such a request will not
- 190 stay a suspension, however it will provide **IU** with the
- 191 opportunity for a hearing within three (3) days of such
- 192 filing. At the conclusion of the hearing, the Board shall
- 193 make a determination whether to terminate, or conditionally
- 194 terminate the suspension, or the Board may cause the permit
- 195 to be revoked.
- 196

197 **SIGNATORIES**

198

199 This order takes effect upon signature.

200

201 Signed: _____ Date: _____

202

203 [Manager Name]

204 Industrial Waste Management Division

205 **LA Sanitation and Environment**

206 City of Los Angeles

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF CONDITIONAL PERMIT REINSTATEMENT

On Date, Industrial Wastewater Permit No. W-XXXXXX was suspended requiring that all industrial wastewater discharge to the City sewer system be ceased. **IU** has since submitted a Notice of Compliance and report describing additional actions taken to ensure that full and permanent compliance will be maintained. This submittal has been approved by LA Sanitation and Environment.

As a result of the corrective actions taken by **IU**, effective Date, Industrial Wastewater Permit No. W-XXXXXX is hereby conditionally reinstated and discharge privileges are restored.

A final multi-day sampling will be conducted by the City at **IU** in the near future. Should results confirm that **IU** has in fact achieved compliance, **IU** will be returned to routine status and a Notice of Final Permit Reinstatement will be issued.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

Date

IU Name
IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX
Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF FINAL PERMIT REINSTATEMENT

On Date, a Permit Suspension Order was issued to IU suspending Industrial Wastewater Permit No. W-XXXXXX. Subsequently, on Date, a Notice of Conditional Permit Reinstatement was issued. Final permit reinstatement was contingent upon results of multi-day sampling conducted by LA Sanitation and Environment (LASAN).

LASAN has since performed this sampling and results indicate that compliance has been achieved. Therefore, effective Date, IU is hereby notified of the final reinstatement of Industrial Wastewater Permit No. W-XXXXXX, the termination of enforcement actions, and the return to routine status.

Enforcement self-monitoring requirements have also been terminated. However, IU must continue with periodic self-monitoring, reported on the appropriate forms, by the required due dates, as specified in Industrial Wastewater Permit No. W-XXXXXX.

Be aware that despite termination of this enforcement case, any future violations of Industrial Wastewater Permit No. W-XXXXXX may subject **IU** to escalated enforcement action, including permit revocation.

In addition, pursuant to the Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

EXHIBIT 8

PERMIT REVOCATION DOCUMENTS

Date

IU Name

IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX

Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF SHOW CAUSE PERMIT REVOCATION HEARING

IU is hereby notified of a Show Cause Permit Revocation Hearing before the City of Los Angeles Board of Public Works (Board) pursuant to Los Angeles Municipal Code Section 64.30.E.3.(e). The Hearing will be conducted at (time), on (Day), (date) in Room 350, City Hall, 200 North Spring Street, Los Angeles, CA.

The Bureau of Sanitation, Industrial Waste Division, has recommended to the Board that **IU's** Industrial Wastewater Permit No. W-XXXXXX be revoked and the sewer connection be sealed. Cause for the recommended permit revocation is failure to comply with permit conditions and requirements as well as the (specify administrative orders issued) issued to **IU** on (date).

IU may be represented by legal counsel and should be prepared to show cause why the permit should not be revoked. At the conclusion of the hearing, the Board shall make a determination whether to revoke the permit and seal the sewer or impose conditions of its own.

If there are any questions regarding this matter, please contact

Staff Engineer, of my staff, at phone number.

[Director Name]
Bureau of Sanitation

By:

[Manager Name]
Industrial Waste Management Division

c: SIU Enforcement Section
Chief Environmental Compliance Inspector II

SHOW CAUSE PERMIT REVOCATION HEARING STATEMENT

(To be read by President of Board of Public Works prior to beginning of hearing)

The Board has scheduled this "Show Cause Hearing" for this time namely _____, _____, notice of which
(Time of Hearing) (Hearing Date)

was sent to the respondent on _____. Respondent was
(Date Notice Sent)

ordered to show cause why its industrial waste permit issued for the properties located at _____,
(Location)

should not be revoked or suspended for violation of the industrial waste water discharge requirements of the City of Los Angeles, as contained in Los Angeles Municipal Code, Section 64.30.

The Board will conduct this Administrative Hearing in a quasi-judicial capacity. The Board, however, is not a court of law and consequently will proceed in a less formal manner.

These proceedings are being tape recorded and the Board will base its decision only upon evidence presented at this hearing.

A witness will be sworn if he, or she, is agreeable. LA Sanitation and Environment will proceed first. The respondent shall then proceed at the conclusion of LA Sanitation and Environment's presentation.

Each party may make, if they choose, an opening statement and a closing argument. At the conclusion of the hearing the Board shall take the matter under submission and render a written decision.

Your firm is charged with discharging _____
(List Constituents)
into the City's publicly owned treatment works in excess of the amount allowed by the code, namely Section 64.30.

Date

IU Name
IU Address

Attn: Authorized Representative, Position Held

Industrial User No. IUXXXXXX
Industrial Wastewater Permit No. W-XXXXXX

Case No. XXXXXX

NOTICE OF PERMIT REVOCATION

On (Date), a Show Cause Permit Revocation Hearing was conducted before the Board of Public Works in the matter of Industrial Wastewater Permit No. W-XXXXXX. At this hearing, **IU** was provided with the opportunity to show cause why its permit should not be revoked. LA Sanitation and Environment, Industrial Waste Management Division, also provided testimony documenting **IU's** history of violations and failure to comply with conditions of Industrial Wastewater Permit No. W-XXXXXX.

After evaluating the circumstances of this case, the Board's final action was to revoke Industrial Wastewater Permit No. W-XXXXXX. This notice serves as written documentation of that permit revocation, effective (Date).

To ensure that no industrial wastewater discharge will occur, **IU's** sewer connection has been or will soon be severed.

Be aware that pursuant to Los Angeles Municipal Code Section 64.30.D.11, **IU** is obligated to repay all costs incurred by the City of Los Angeles as a result of this enforcement action.

If there are any questions regarding this matter, please contact Staff Engineer, of my staff, at phone number.

[Director Name], Director and General Manager
LA Sanitation and Environment

By:

[Manager Name], Division Manager
Industrial Waste Management Division

c: SIU Enforcement Section
[Chief Name], Chief Environmental Compliance Inspector II

EXHIBIT 9

RECEIPT FOR HAND DELIVERED ORDERS

RECEIPT FOR HAND DELIVERED ORDERS

TYPE OF ORDER:

- CEASE AND DESIST ORDER _____
- CONSENT ORDER _____
- COMPLIANCE ORDER _____
- PERMIT SUSPENSION ORDER _____
- IMMINENT HAZARD PERMIT SUSPENSION ORDER _____
- NOTICE OF PERMIT REVOCATION _____

IU INFORMATION:

IU Name: _____

IU Location Address:

Industrial User No. _____

Industrial Wastewater Permit No: _____

Case No: _____

ORDER ISSUED TO:

(IU Representative, Print Name)

(IU Representative, Signature)

(IU Representative Title)

ORDER ISSUED BY:

(City Representative, Print Name)

(City Representative, Signature)

(City Representative Title)

DATE ISSUED: _____

TIME:

COMMENTS: _____

Document Control Page

Industrial Waste Management Division Enforcement Response Plan and Enforcement Response Guide				
Review Frequency: As needed				
Prepared/Revised/Reviewed		Description of Changes	Approved	
Date	By		Date	By
Oct. 1991	T. Minamide	First ERP/ERG Documents	Oct. 1991	T. Minamide
Jul. 1992	T. Minamide	Revised Enforcement Response Plan: <u>Added:</u> Item 2.1.4. "Short Term IU Permits" to Section 2.1 - Enforcement Actions".	Jul. 1992	T. Minamide
Dec. 1992	T. Minamide	Revised Enforcement Exhibits/Templates <u>Added:</u> requirement for Pollution Prevention Plan; Show Cause Permit Revocation Statement; Cease & Desist and Compliance Order templates for NC-SIU and LIU; SIU Group and IU flow. <u>Removed:</u> requirement that Engineering Plans be approved.	Dec. 1992	T. Minamide
Jun. 1993	R. Aflaki G. Matevossian	Expanded Engineering Plan submittal requirements; Changed compliance deadlines in Draft Compliance Orders.	Jun. 1993	T. Minamide
Feb. 1994	R. Aflaki G. Matevossian	Updated ERP Documents: <u>Changed:</u> Division Name from "Enforcement Division" to "Industrial Waste Management Division"; Title "Non-SIU" to "Local Industrial User" (LIU); References to LAMC from Section 64.30.E to Section 64.30.E.4 and from Section 64.30 to Section 64.30.D.9 in all Cease and Desist and Compliance Orders; <u>Added:</u> new item to show "Permits Renewal or Amendment" dates under "FACTS" in all Administrative Orders; <u>Changed:</u> Prenotification Group name for self-monitoring from "City-Wide Monitoring Group" to "SIU Inspection Group".	Feb. 1994	T. Minamide
Apr. 1995	R. Aflaki G. Matevossian	<u>Added:</u> New Cease and Desist Order Templates for Reporting/SMR violations; New Cover Letter for "Issuance of Final Consent Order"; "IU Number" added to all cover letters and Administrative Orders; <u>Changed:</u> requirement for submittal of Self-Monitoring Reports from "Staff Engineer" to "Data Management Squad" for SIUs and NC-SIUs.	Apr. 1995	T. Minamide

Nov. 1995	R. Aflaki G. Matevossian	<u>Updated</u> : references to NC-SIU and LIU classifications and SIU Group under “FACTS” in all Administrative Orders; <u>Changed</u> : SIU Inspection Group telephone number from (213) 485-9368 to (213) 485-5874 in all Administrative Orders.	Nov. 1995	L. Ayers
Apr. 1997	R. Aflaki G. Matevossian	<u>Changed</u> : Bureau of Sanitation Director Name from “Delwin A. Biagi” to “Drew B. Sones” in all Administrative Order cover letters; <u>Removed</u> : “Receipt for Hand Delivered Orders” form “Exhibit 6” – Permit Suspension Order Documents – and listed under “New Exhibit 9”, added to ERP Documents .	Apr. 1997	L. Ayers
Sep. 1997	R. Aflaki G. Matevossian	<u>Changed</u> : Bureau of Sanitation Director Name from “Drew B Sones” to “Judith A. Wilson” in all ERP documents.	Sep. 1997	L. Ayers
Jul. 1999	R. Aflaki G. Matevossian	<u>Changed</u> : Division Manager Name from “Vincent J. Varsh” to “Traci J. Minamide”; <u>Changed</u> : CC of all Administrative Orders from “Sr. I.W. Inspector, City-Wide Group & Sr. I.W. Inspector, Inspection Group” to “Bellete Yohannes, Chief Industrial Waste Inspector II”.	Jul. 1999	L. Ayers
Jan. 2001	R. Aflaki G. Matevossian	<u>Added Two New Cease and Desist Orders</u> to ERP documents: “Illegal Harmful Discharge without an I.W. Permit” and “Illegal No-Harm Discharge without an I.W. Permit”; <u>Changed</u> : Titles of “Cease and Desist Violations Order” to “Cease and Desist Order”; <u>Updated</u> : Consent Order Templates; <u>Changed</u> : Pollution Prevention Plan submittal & implementation schedule; <u>Updated</u> : references to LAMC from Section 64.30.D.9 to Section 64.30.D.11; <u>Changed</u> : SMR submittal from “Data Management Squad” to “Information System Support Squad”; <u>Changed</u> : Title of “Sample Violations” to “Discharge Limit Violations” in all Administrative Orders; <u>Updated</u> : Section 3 of the Enforcement Response Guide and related tables.	Jan. 2001	L. Ayers
Oct. 2001	G. Matevossian	<u>Changed</u> : Division Manager name from “Traci J. Minamide” to “Timeyin Dafeta”.	Oct. 2001	L. Ayers
Dec. 2002	G. Matevossian	<u>Updated</u> ERP Documents: <u>Changed</u> : IWMD headquarters address from “4590 Colorado Blvd. Los Angeles, CA 90039” to “2714 Media Center Drive, Los Angeles, CA 90065”;	Dec. 2002	L. Ayers

		<u>Changed</u> IWMD Phone and Fax numbers to (323) 342-6200 and (323) 342-6111; <u>Changed</u> : references to LAMC from Section 64.30.D.11 to Section 64.30.D.13; <u>Added</u> : two new items 3.2.7 (IU I.W. Permit Status) and 3.2.8 (IU Discharging w/o an I.W. Permit) to Section 3 - Enforcement Response Guide.		
Jul. 2004	G. Matevossian	<u>Changed</u> : Bureau of Sanitation Director name from “Judith A. Wilson” to “Rita L. Robinson”.	Jul. 2004	L. Ayers
May 2006	G. Matevossian	<u>Added</u> : two new Templates to Section 8- Permit Revocation Documents – “Notice of Show Cause Permit Revocation Hearing” and “Notice of Permit Revocation”; <u>Changed</u> : Cease & Desist Order Titles, Administrative Orders Flow Sheets; and <u>Updated</u> : List of ERP Exhibits.	May 2006	L. Ayers
Feb. 2007	G. Matevossian	No Changes	N/A	N/A
Mar 2008	G. Matevossian	No Changes	N/A	N/A
Mar 2009	G. Matevossian	No Changes	N/A	N/A
Jul. 2010	G. Matevossian	<u>Revised</u> : Signature block with “Generic Name and Title” in all enforcement templates.	Jul. 2010	L. Ayers
March 2015	L. Ayers	Include BMP language on pages 2-5 and 3-9	March 2015	L. Ayers
September 2015	L. Ayers	Revise ERG to remove “15” and replace with “up to” on page 3-14	September 2015	L. Ayers
August 2017	N. Tolentino D. Patel	Revised all templates referencing amendments to be consistent with changes to 40 CFR 403 and LAMC 64.30	August 2017	L. Ayers
January 2021	D. Patel N. Dakak			